PORSF 11.3.256.1
12/21/10

OREGON DEPARTMENT OF TRANSPORTATION
RESPONSE TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY
104(E) LETTER

All files referenced in the following response are saved to the external hard drive provided with this response. The file's title and folder title are provided when referenced in the narrative response. All HazMat files have a coversheet that identifies specific information and links it to a question number. The coversheet notes if the information is present in the file or not and comments are provided to help to answer the questions. A map with the location of all HazMat file sites is provided electronically.

Information specific to the St. Johns Bridge Rehabilitation Project has been described in the narrative. This project is specifically discussed because it is the only ODOT project with a hazardous waste release to the Willamette River.

ODOT requested clarification from EPA for the Investigation Area boundary because of the level of precision needed for the right-of-way map search. ODOT provided EPA with a revised narrative description and map, which EPA approved. The description and map are provided electronically in the following folder \\portland_harbor\Data\IAMap.

The location of each file is provided the first time that it is referenced. All file paths are provided in the attachment to the narrative response.

SECTION 1.0 RESPONDENT INFORMATION

1. Provide the full legal, registered name and mailing address of Respondent.

Oregon Department of Transportation
355 Capitol Street, NE, Rm. 135
Salem, OR 97301

2. For each person answering these questions on behalf of Respondent, provide:

a. full name;
b. title;
c. business address; and
d. business telephone number, electronic mail address, and FAX machine number

Name	Title	Business Address	Business Telephone Number	Email	FAX
Jennie Armstrong	Hazardous Materials	6000 SW Raab Road Portland,	(503) 229-5129	jennie.armstrong@odot.state.or.us	(503) 297-

	Program Coordinator	OR 97221			6058
Roger Galles	Senior Surveyor	123 NW Flanders Street Portland, OR 97209	(503) 731-3241	roger.l.galles@odot.state.or.us	(503) 731-8531
Kathy Lincoln	Assistant Attorney General	1162 Court St. NE, Salem OR 97301-4096	(503) 947-4520	kathy.lincoln@doj.state.or.us	(503) 378-6829
Jennifer Sellers	Senior Environmental Policy Analyst	123 NW Flanders Street Portland, OR 97209	(503) 731-8523	jennifer.sellers@odot.state.or.us	(503) 731-8531
Paul Wittbrodt	Senior HazMat Specialist	123 NW Flanders Street Portland, OR 97209	(503) 731-3099	paul.r.wittbrodt@odot.state.or.us	(503) 731-8531
Jeff Moore	Clean Water Program Technician	123 NW Flanders Street Portland, OR 97209	(503) 731-8289	jeffrey.t.moore@odot.state.or.us	(503) 731-8531

3. **If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, fax number, and, if available, electronic mail address.**

Please direct future correspondence to:

H.A. (Hal Gard)
Manager, Geo-Environmental Section
Oregon Department of Transportation
4040 Fairview Industrial Dr SE, MS#6
Salem, OR 97302

Please cc Jennifer Sellers on all future correspondence. Her contact information is provided in the table above.

SECTION 2. OWNER/OPERATOR INFO

4. **Identify each and every property that Respondent currently owns, leases, operates on, or otherwise is affiliated or historically has owned, leased, operated on, or otherwise been affiliated with within the Investigation Area during the period of investigation (1937-Present). Please note this question includes state roads, state rights of way or easements, and state bridges. Please note that this question includes any aquatic lands owned or leased by Respondent.**

To identify property that is currently or was historically owned by ODOT, ODOT created an electronic Microsoft Access database that has all Right of Way (ROW) maps. The database is referred to as the PHAR-RW33 ACCESS database.

The maps have corresponding file numbers and the files are provided in the database. The ROW files provide the information to identify land ownership. These files are linked to the ROW maps and include deeds, property transfers, appraisal packages, and title packages. The ROW files may also contain a map package, which will be noted in the data field.

The databases are located in the following data directory:
\\portland_harbor\Databases\current
Phar_plans21.mdb For the construction plans and specifications
Phar_RW33.mdb For the Right of Way maps and Right of Way Files

The ROW maps have been scanned in two formats (TIFF and PDF)
The TIFF files are stored in the following data directory:
\\portland_harbor\Data\RWmaps_ADJ
Some of the files are zip format

The PDF files are stored in the following data directory:
\\portland_harbor\Data\RWMPDF_ADJ

The following information is provided in the data field in the PHAR-RW33 ACCESS database for each ROW file, if it is available:

> Highway number, highway name, map number, map section name, beginning mile post, ending mile post, revision date of the map (month; year), comments on the map, hyperlink to TIFF file of ROW map, hyperlink to PDF file of ROW map, ROW maps with files (Yes or No), and ROW maps with lease (Yes or No).

If the ROW map has a file, then that will be linked to: file number, file number hyperlink, ROW file number, ROW file number hyperlink, Abandonment and Retention (AR) Number (Abandonment and Retention is a Jurisdictional Transfer that transfers land to another governmental agency by the means of a Jurisdictional Transfer agreement), AR Number hyperlink, acquisition owner name, acquisition date, current owner name, deed type, Township number (if stated in the deed), Range number (if stated in the deed), Section number (if stated in the deed), tax lot number (if stated in the deed), Donation Land Claim name (if stated in the deed), whether the parcel is adjacent to the Willamette River (Yes or No), and additional comments and lease information.

5. **Provide a brief summary of Respondent's relationship to each Property listed in response to Question 4 above, including the address, Multnomah County Alternative Tax lot Identification number(s), dates of acquisition, period of ownership, lease, operation, or affiliation, and a brief overview of Respondent's activities at the Properties identified.**

ODOT owns, operates, and maintains the state highway system within the Investigation Area. The state highway system within the Investigation Area includes all or portions of these facilities and their associated drainage systems:

- Interstate-5, Pacific Highway, (ODOT No. 1).
- Highway 30, Lower Columbia River Highway/ St. Helens Road, (ODOT No. 2W.
- Interstate-405 and the Fremont Bridge, Stadium Freeway, (ODOT No. 61).
- The St. Johns Bridge, Northeast Portland Highway, (ODOT No. 123).

ODOT owns approximately 27 acres of leased properties within the Investigation Area, covered by 36 lease agreement (see response 6 for further information on leased property). ODOT also owns approximately 3.6 miles of railroad right-of-way within the Investigation Area. See response 6(d) for further information on rail facilities.

No maintenance yards are currently or have historically been located within the Investigation Area. See response to Question 4 for further details.

6. **Identify any persons who concurrently with you exercises or exercised control or who held significant authority to control activities at each Property, including:**

a. **Partners or joint venturers;**

This subquestion is not applicable to ODOT as ODOT is a state agency.

b. **any contractor, subcontractor, or licensor that exercised control over any materials handling, storage, or disposal activity on the Property; (service contractors, remediation contractors, management and operator contractors, licensor providing technical support to licensed activities);**

Private construction contractors typically perform various construction activities for ODOT. The signature pages of the available construction contracts are provided electronically in the Phar_Plans21.mdb Access database.

The signature pages identify the Prime Contractor with whom ODOT contracted to do project construction work within the Investigation Area. The contracts address state requirements regarding handling, storing and disposal of material to the extent those issues are not otherwise addressed by state and federal law.

ODOT has issued Miscellaneous Permits since the 1920s and Access Permits since 1955. These permits include utility installation and maintenance; access from private property onto the state highway; and permits to construct, operate, and maintain storm sewer lines. ODOT Region 1 Maintenance Districts 2A and 2B are located within the

Investigation Area. Maintenance District 2A has issued no Miscellaneous or Access Permits within the Investigation Area. The Maintenance District 2B permits are provided electronically in folder of the data directory
\\portland_harbor\Data\Maintenance_Permits.

These files are stored by milepost in the name of the file.

These permits provide the name and contact information of parties that were issued permits by the ODOT Maintenance in the Investigation Area.

c. **any person subleasing land, equipment or space on the Property;**

Lessee information is provided with the ROW files, which are provided in the electronic PHAR-RW33 ACCESS database. The files contain leases, rental agreements, and property transfers. The following information has been pulled from the files and provided in the database fields: file number, map number, hyperlink to the lease file, name of lessee, address of lessee, and additional comments. Some of the historic leases have not been indexed in the PHAR-RW33 ACCESS database. The update to the PHAR-RW33 ACCESS database will be submitted at a later date.

\\portland_harbor\Data\Lease

This folder contains information about the current ODOT leases
\\portland_harbor\Data\Lease-Current

This spread sheet contains a index to the current leases
\\portland_harbor\Data\Lease-Current\PRP_Area_leased_parcels.xls

The maps for the current leases are located in this folder
\\portland_harbor\Data\Lease-Current\LeaseMaps
\\portland_harbor\Data\Lease-Current

d. **Utilities, pipelines, and railroads and any other person with activities and/or easements regarding the Property;**

The Maintenance District 2B permits provide the name and contact information of all parties (utilities and pipelines) that were issued permits by the ODOT Office of Maintenance in the Investigation Area.
\\portland_harbor\Data\Maintenance_Permits
The files are sorted by milepost in the name of the file.

All easement holder information is located in the ROW files. The ROW files are in the PHAR-RW33 ACCESS database.

Approximately 3.6 miles of ODOT railroad right-of-way is within the Investigation Area (rail mile post [MP] 5.22 to 8.8). This response addresses only ODOT's highway facilities, and all responses relate to only that portion of ODOT's property within the Investigation Area. The ODOT Rail Division has provided a separate 104(e) response that addresses the rail facilities.

e. Major financiers and lenders;

As a state agency, ODOT utilizes taxpayer funding, bond income, miscellaneous fees, and federal funds for it activities.

f. any persons who exercised actual control over activities and operations on the Property;

The signature pages of the available construction contracts, the Maintenance District 2B permits, lease files, local agency contracts, and intergovernmental agreements identify persons that exercised actual control over activities and operations on ODOT property in the Investigation Area. These documents are located in the following folders:

Lease files: \\portland_harbor\Data\Lease. These files are indexed in the PHAR-RW33.mdb database. See LEASE-report.rtf file in this directory. This lists all of the ODOT properties that ODOT has or is currently leasing to private companies.

Intergovernmental Agreements and local agency contracts can be found in: \\portland_harbor\Data\Agree.

These files are sorted by agreement number. There is a spread sheet that helps index these agreements.
\\portland_harbor\Data\Agree\agreement .xls

g. any person who held significant authority to control any activities or operations on the Property;

The signature pages of the construction contracts, the Maintenance District 2B permits, lessee files, local agency contracts, and intergovernmental agreements identify persons who held significant authority to control activities or operations on ODOT property.
See PHAR_plans21.mdb This database indexes the signature page in each set of specifications. The signature pages of the construction plans are located in the specification folder
\\portland_harbor\Data\Spec

h. **any person who had a significant presence or who conducted significant activities on the Property;**

The signature pages of the construction contracts, the Maintenance District 2B permits, lessee files, local agency contracts, and intergovernmental agreements identify persons that had a significant presence or who conducted significant activities on the Property.
See PHAR_plans21.mdb This database indexes the signature page in each set of specifications. The signature pages of the construction plans are located in the specification folder
\\portland_harbor\Data\Spec

i. **Government entities that had a proprietary (as opposed to regulatory) interest or involvement with regard to the activity on the Property.**

The intergovernmental agreements and local agency contracts identify government entities that had or have a proprietary interest in ODOT property in the Investigation Area.

This agreement describes the ODOT abandonment of a portion of St. Helens Road and the ODOT acquisition of Yeon Avenue.
\\portland_harbor\Data\Agree\AR00639.zip

This agreement describes the ODOT purchase of St. Johns and the Ross Island bridges.
\\portland_harbor\Data\Agree\MCA005647.zip

This agreement describes the ODOT abandonment of Interstate Avenue.
\\portland_harbor\Data\Agree\AR00654.zip

This agreement describes the Interstate and MLK Maintenance issues.
\\portland_harbor\Data\Agree\MCA011380.zip

7. **Identify and describe any legal or equitable interest that you now have, or previously had in each Property. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how, and to whom such interest was conveyed, if applicable. In addition, submit copies of all instruments evidencing the acquisition or conveyance of such interest (e.g., deeds, leases, purchase and sale agreements, partnership agreements, etc.).**

See response to Question 4.

8. **If you are the current owner and/or operator, did you acquire or operate the Property or any portion of the Property after the disposal or placement of**

hazardous substances, waste, or materials on, or at the Property? Describe all of the facts on which you base the answer to this question.

The information that answers this question is provided in the HazMat files, which are provided electronically in a folder named \\portland_harbor\Data\Hazmat.

The files are sorted by milepost in the name of the file.

If information as to whether contamination was present prior to ODOT's acquisition of the property is available, then it is noted on the coversheet and saved in the file. The geographic location of the HazMat files is provided electronically on maps that are saved in the HazMat folder.

9. **At the time you acquired the Property, did you know of or have reason to know that any hazardous substance, waste, or material was disposed of on, or at the Property? Describe all investigations of the Property you undertook prior to acquiring the Property and all of the facts on which you base the answer to this question.**

The information that answers this question is provided in the HazMat files.

Information as to whether a HazMat assessment was conducted prior to ODOT's acquisition of the property will be noted on the coversheet and within the file, if it is available.

The appraisal files may have information regarding whether a hazardous substance, waste, or material was disposed of on or at the property. These files are provided electronically in the PHAR-RW33.mdb Access database.

10. **Identify all prior owners that you are aware of for each Property identified in Response to Question 4 above. For each prior owner, further identify, if known, and provide copies of documents you may have:**

All prior owners of whom ODOT has knowledge are identified in the PHAR-RW33.mdb Access database. See response to Question 4.

a. **The dates of ownership;**

If the dates of ownership are known, then they are noted in the data field of the PHAR-RW33.mdb Access database.

b. **All evidence showing that they controlled access to the Property; and**

All deeds, leases, and documentation showing that prior owners controlled access to the Property are provided in the PHAR-RW33.mdb Access database.

c. **All evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Property during the period that they owned the Property.**

Information as to whether a hazardous substance, pollutant, or contaminant was released or threatened to be released on ODOT property before ODOT obtained title is noted on the coversheet and saved in the HazMat file, if it is available.

The appraisal files, purchase documents, and court orders that ODOT has on file for each property may have information regarding whether a hazardous substance, waste, or material was disposed of on or at the property.

11. **Identify all prior operators of the Property, including lessors, you are aware of for each Property identified in response to Question 4 above, For each such operator, further identify if known, and provide copies of documents you may have:**

a. **the dates of operation;**

See response to Question 6.

b. **the nature of prior operations at the Property;**

See response to Question 6.

c. **all evidence that they controlled access to the Property; and**

See response to Question 6.

d. **all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Property during the period that they were operating the Property.**

Information as to whether a hazardous substance, pollutant, or contaminant was released or threatened to be released on ODOT property prior to ODOT's operation on the property is noted on the HazMat coversheet and saved in the HazMat file, if it is available.

12. **If not included in response to any of the previous questions, please describe the purpose and duration of each aquatic lands lease Respondent or the operator of Respondent's Property(ies) ever obtained from the State of Oregon and Provide a copy of each application for and aquatic lands lease obtained.**

ODOT has no aquatic land leases within the Portland Harbor Investigation Area.

SECTION 3.0 DESCRIPTION OF EACH PROPERTY

13. Provide the following information about each Property identified in response to Question 4:

13a property boundaries, including a written legal description;

Property boundaries are noted on the As-Built plans and the ROW maps. The As-Built plans are provided electronically in the PHAR-PLANS21.mdb Access database and are linked to the ROW maps. As-Built plans represent the field conditions at the completion of a project. The ROW maps are indexed in the PHAR-RW33.mdb Access database. The available written legal descriptions are provided in the PHAR-RW33.mdb Access database.

13b. location of underground utilities (telephone, electrical, sewer, water main, etc.);

The location of underground utilities can be found in two locations. Utilities located during the project construction work are noted in the PHAR-PLANS21.mdb Access database. Utilities permitted after the project construction work are noted in Maintenance District 2B permit files.

Each utility is required to provide the mile points and the distance from the highway center line and ROW line on its permit application form. These applications and permits are provided in the Maintenance District 2B permit files.

13c. location of all underground pipelines whether or not owned, controlled or operated by you;

The location of known underground pipelines can be found in two locations: pipelines located during the project construction work are noted in the PHAR-PLANS21.mdb Access database. Pipelines installed after the project construction work are noted in Maintenance District 2B permit files.

Each permit applicant is required to provide the mile points and the distance from the highway center line and ROW line on the permit application form. These applications are provided in the Maintenance District 2B permit files.
\\portland_harbor\Data\Maintenance_Permits
These files are sorted by milepost in the name of the file.

ODOT has transferred the underground pipe data from the construction plans to a GIS system. We have created maps in PDF format to show the location of the storm and sanitary sewer lines. Below is a list of the files that ODOT has created. ODOT is currently revising these files. They will be submitted at a later date.

The list of maps below shows drainage systems along ODOT highways by milepost.

001_MP_302.3_302.8.pdf
001_MP_302.8_303.2.pdf
001_MP_303.2_303.7.pdf
001_MP_303.7_304.2.pdf
002W_MP_1.1_1.6.pdf
002W_MP_1.6_2.0.pdf
002W_MP_2.0_2.4.pdf
002W_MP_2.4_2.8.pdf
002W_MP_2.8_3.3.pdf
002W_MP_2.8_3.3.pdf
002W_MP_3.3_3.8.pdf
002W_MP_3.8_4.6.pdf
002W_MP_4.6_5.0.pdf
002W_MP_5.0_5.4.pdf
002W_MP_5.4_6.0.pdf
002W_MP_6.0_6.7.pdf
002W_MP_6.7_7.1.pdf
002W_MP_7.1_7.5.pdf
002W_MP_7.5_8.0.pdf
002W_MP_8.0_8.5.pdf
002W_MP_8.5_9.0.pdf
002W_MP_9.0_9.5.pdf
002W_MP_9.5_10.0.pdf
002W_MP_10.0_10.5.pdf
047_MP_73.5_74.0.pdf
061_MP_1.2_1.7.pdf
061_MP_1.7_2.2.pdf
061_MP_2.2_2.6.pdf
061_MP_2.6_3.2.pdf

Below is a list of the Highway index PDF files which will be submitted at a later date.

001_MP_302.2_304.2.pdf
002W_MP_1.1_4.1.pdf
002W_MP_3.7_7.2.pdf
002W_MP_6.7_10.0.pdf
061_MP_1.2_4.2.pdf

ODOT has created outfall maps that show how ODOT storm water reaches the river. These map files are listed below and will be submitted at a later date.

Instructions for the PDF-Portland-Harbor.doc
Legend.pdf
Outfall_Columbia_River_Overflow_A.pdf
Outfall_Columbia_River_Overflow_B.pdf
Outfall_Columbia_River_Overflow_C.pdf
Outfall_Columbia_River_Standard_Flow_A.pdf
Outfall_Columbia_River_Standard_Flow_B.pdf
Outfall_Columbia_River_Standard_Flow_C.pdf
Outfall_Columbia_River_Standard_Flow_D.pdf
Outfall_Columbia_River_Standard_Flow_E.pdf
Outfall_Columbia_River_Standard_Flow_F.pdf
Outfall_Columbia_River_Standard_Flow_G.pdf
Outfall_Columbia_River_Standard_Flow_H.pdf
Outfall_Columbia_River_Standard_Flow_I.pdf
Outfall_OF08_A.pdf
Outfall_OF08_B.pdf
Outfall_OF09_A_overflow.pdf
Outfall_OF09_B_overflow.pdf
Outfall_OF09_C_overflow.pdf
Outfall_OF09_D_overflow.pdf
Outfall_OF09_E_overflow.pdf
Outfall_OF09_F_ overflow.pdf
Outfall_OF09_G_overflow.pdf
Outfall_OF09_H_overflow. pdf
Outfall_OF09_I_overflow.pdf
Outfall_OF15_A_overflow.pdf

Outfall_OF15_B_overflow.pdf
Outfall_OF16.pdf
Outfall_OF17.pdf
Outfall_OF18_A.pdf
Outfall_OF18_B.pdf
Outfall_OF19_A.pdf
Outfall_OF19_B.pdf
Outfall_OF19_C.pdf
Outfall_OF19_D.pdf
Outfall_OF22.pdf
Outfall_OF22A.pdf
Outfall_OF22C_A.pdf
Outfall_OF22C_B.pdf
Outfall_OF22D.pdf
Outfall_OF24_overflow.pdf

Outfall_OF46_A_overflow.pdf
Outfall_OF46_B_overflow.pdf
Outfall_OF47_A_overflow.pdf
Outfall_OF47_B_overflow.pdf
Outfall_OF52_A.pdf
Outfall_WR79_A.pdf
Outfall_WR102.pdf
Outfall_WR126.pdf
Outfall_WR202.pdf
Outfall_WR203.pdf
Outfall_WR204.pdf
Outfall_WR205.pdf
Outfall_WR206.pdf
Outfall_WR207.pdf
Outfall_WR208.pdf
Outfall_WR209.pdf
Outfall_WR211.pdf
Outfall_WR306A.pdf
Outfall_WR306B.pdf
Outfall_WR306C.pdf
Outfall_WR306D.pdf
Outfall_WR306E.pdf
Outfall_WR307_OF12A_A.pdf
Outfall_WR307_OF12A_B.pdf
Outfall_WR307_OF12A_C.pdf
Outfall_WR307_OF12A_D.pdf
Outfall_WR307_OF12A_E.pdf
Outfall_WR307_OF12A_F.pdf
Outfall_WR309.pdf
Outfall_WR510.pdf

Here is a list of the Outfall index maps which will be submitted at a later date.

001_MP_302.2_304.1.pdf
026_MP_1.2_4.6.pdf
026_MP_4.6_7.3.pdf
026_MP_7.3_10.0.pdf
047_MP_73.5_74.0.pdf
061_MP_1.2_3.2.pdf

ODOT is working on the section of Sunset Highway (Highway 26) from the west end of the Vista Avenue tunnel to the crest of the hill at Sylvan Interchange. This area drains into the Investigation Area. The Highway 26 GIS files and PDF maps will be submitted at a later date. (This will include about 10 to 12 PDF files).

13d. surface structures (e.g., buildings, tanks, pipelines, etc.)

"Surface structures" consist primarily of highway pavement, over- and under-passes, and bridges. Surface structures are shown on the As-Built plans, which are provided electronically in the PHAR-PLANS21.mdb database ..

No aboveground storage tanks (ASTs) were present during work that occurred on the St. Johns Bridge Rehabilitation Project other than the water tanks.

13e. over water structures (e.g., piers, docks, cranes, etc.);

The Bridge Inventory List, which has been provided electronically, provides a list of all overwater structures in the Investigation Area. See the folder named:
\\portland_harbor\Data\Bridges.

As-Built plans of overwater structures are provided electronically in the PHAR-PLANS21.mdb Access database.

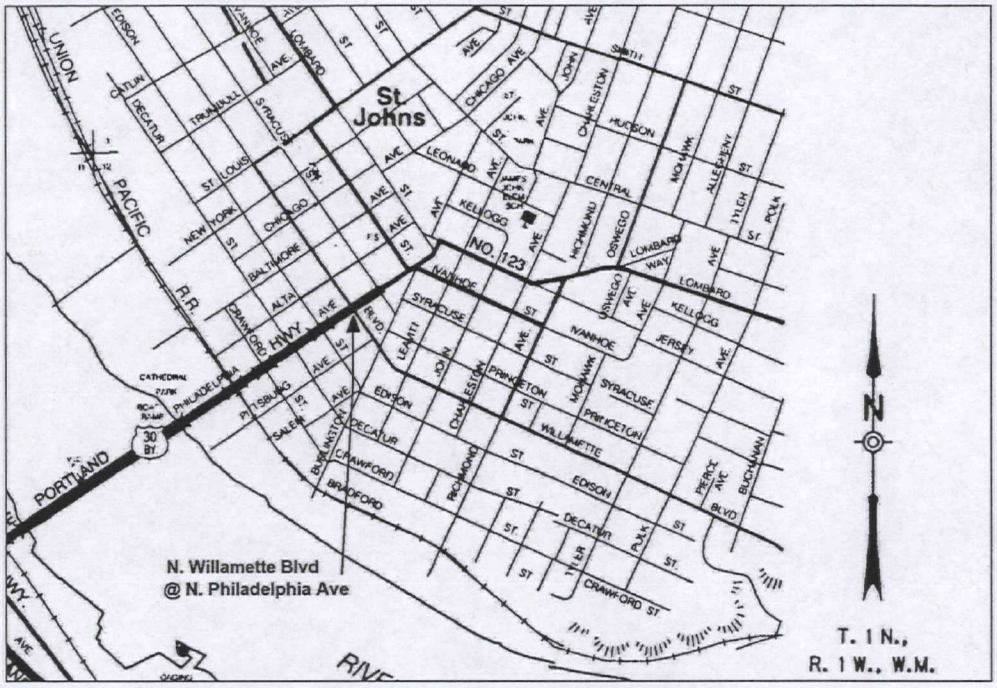
13f. dry wells

It is highly unlikely that dry wells are present in the Investigation Area; however, ODOT does not have all historical As-Built plans for the highways in this area because ODOT no longer owns some of these properties. If dry wells are present, then they are typically drawn on the As-Built plans, which are provided electronically in the PHAR-PLANS21.mdb Access database..

13g treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery (RCRA), Transfer, Storage, or Disposal (TSD), etc.);

The following stormwater treatment facilities are located in the Investigation Area:

N. Willamette Blvd. @ N. Philadelphia Ave

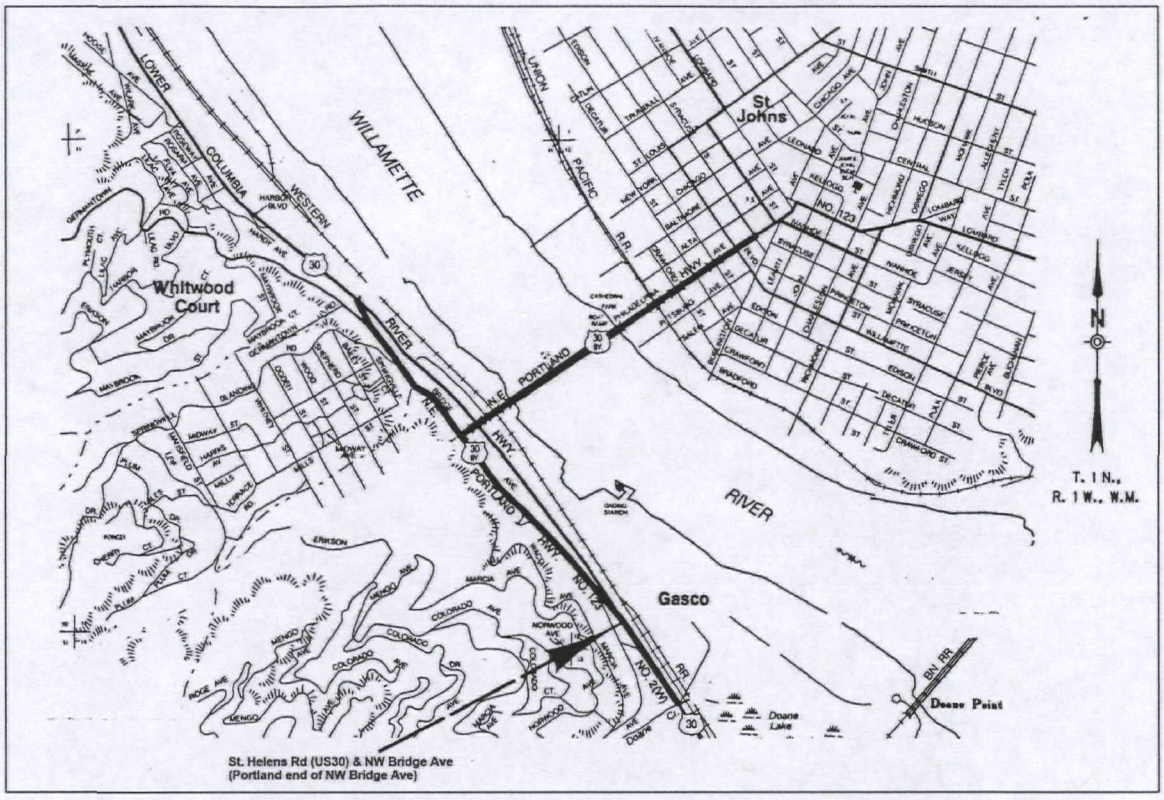


17m ± westerly of westerly curb of Willamette & 3m ± northerly of southerly curb of Philadelphia. The construction bid let date for this project was in 2002. The plan sheet for this facility is located on Plan Sheet 2E-4 Note 4 in the construction plans for the St. Johns Bridge Rehabilitation Project, which is saved electronically to

- \\portland_harbor\Data\cplans\35V-168.tif.

St Helens Rd & St Johns Bridge (Under Bridge, Down Slope)
Near centerline of bridge 21m ± easterly of centerline of US30 between two manholes. The plan sheet for this facility is located on Plan Sheet 2E-3A Note 4 in the construction plans for the St. Johns Bridge Rehabilitation Project.

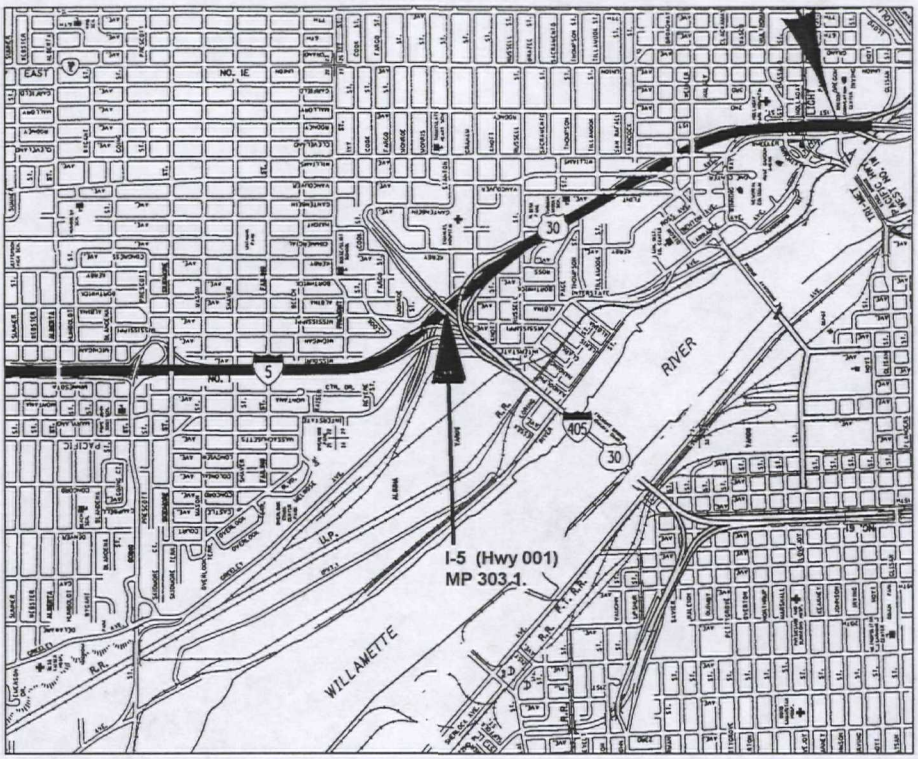
- St Helens Rd (US30) & NW Bridge Ave (Portland end of NW Bridge Ave)



In ramp gore area. 29m ± southerly (toward Portland) of gore nose, 18m ± westerly of US30 centerline. The plan sheet for this facility is located on Plan Sheet 2E-5 Note 1 in the construction plans for the St. Johns Bridge Rehabilitation Project.

- I-5 (Hwy 001), MP 303.1. This facility is located on the eastern edge of the Fremont Bridge (I-405/I-5interchange). This facility treats runoff from I-5 and was constructed as part of the Interstate Bridge - NE Oregon Street (Portland) Sec. preservation project.

\\portland_harbor\Data\Cplans\33V-093.tif



ODOT does not own or operate any air or groundwater control devices in this area, nor any RCRA or TSD devices.

The St. Johns Bridge Rehabilitation Project included removing all of the coatings on the suspension spans and west truss spans, exposing bare metal and repainting the spans, replacing the deck, and building a new drainage system, which included new inlet boxes poured into the curb and sidewalk, 8-inch collection piping and stormwater treatment prior to discharge into the Willamette River. While the paint removal occurred, the bridge had a containment surrounding it to prevent contamination to the air and to the river. Air removed from the containments was filtered to remove dust (i.e., fine grit and lead paint). Water from the excavation on the east bank, where the storm water treatment system was installed, was pumped into settling tanks prior to discharge to the City of Portland Bureau of Environmental Services (BES) sewer manhole. This information is contained in the St. Johns Bridge file.
\\portland_harbor\Data\StJohnsBridge_C12793\PollutionControlPlan\StJohnsBridgeRehab_PCP.pdf

13h. groundwater wells, including drilling logs;

Utilities have occasionally drilled groundwater wells on the state property within the Investigation Area. The location of any groundwater wells can be found in the applications submitted to ODOT by utilities. The utility is required to provide the mile points and the distance from the highway center line and ROW line on the application form. These applications are provided in the Maintenance 2B permit files.

The drill logs for construction projects are saved to:
\\portland_harbor\Data\Drilling_Logs.

These files are named by highway number and mile post in the file name.

The drill logs for the St. Johns Bridge Rehabilitation Project are provided in the St. Johns Bridge file.
\\portland_harbor\Data\StJohnsBridge_C12793\Drill_Logs

13i. stormwater drainage system, and sanitary sewer system, past and present, including septic tank(s) and where, when and how such systems are emptied and maintained;

Through review of as-built plans, ODOT discovered a septic tank outflow connected to 18" storm water line.

See project: NW Doane Avenue – NW Balboa Avenue
Lower Columbia River Highway
Contract 10959 Installation date 11/12/91 Page 10
\\portland_harbor\Data\Cplans\21V-099.tif

ODOT needs to conduct further research into the scope of this issue and will need to field-check the lines to confirm the accuracy of information contained on the as-built plans.

ODOT has no current or historic permanent buildings in the Investigation Area that would utilize a sanitary sewer system; therefore, ODOT has not historically owned nor currently owns sanitary sewer systems in the Investigation Area.
ODOT has built sanitary sewer lines;

See project: NW Nicolai street – W Fremont Interchange section
Lower Columbia River Highway
Contract 10182 Installation date 08/21/1992 Pages 47 & 48
\\portland_harbor\Data\Cplans\19V-132.tif

The drainage that is known to the best of ODOT's knowledge is provided in the ODOT GIS System. This information came from the As-Built plans, which are provided electronically in the PHAR-PLANS21.mdb Access database. ODOT has updated this information into a GIS system. Detailed highway drainage maps have been created in a PDF format. These map files will be submitted at a later date. (See section 13C for a complete list).

A map that depicts ODOT-owned storm water outfalls to the Willamette River is provided electronically at:
\\portland_harbor\Data\Stormwater\ODOT_Outfalls_11x17.pdf

The outfalls are also shown on Exhibit 5 of the Initial Statement previously submitted to the repository. Documentation that ODOT has on file regarding contributions to the drainage system by other, adjacent property owners is provided in the Maintenance 2B permit files.

\\portland_harbor\Data\Maintenance_Permits
These file are named by highway number and mile post in the file name.

Refer to Question 13g for information on stormwater treatment facilities in the Investigation Area.

For the St. Johns Bridge Rehabilitation Project, the HazMat file indicates the location of the BES sewer manholes in the BES permits, the[new stormwater treatment system] in the *Preliminary Site Investigation* and the re-lined culvert on the west bank in the spill response documentation. The Hydraulics file for this project is provided electronically in the St. Johns Bridge file.

The hydraulics files for construction projects that ODOT was able to locate on file are provided in:
\\portland_harbor\Data\Hydraulics.

13j. **subsurface disposal field(s), Underground Injection Control (UIC) wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed.**

USTs have been decommissioned and/or removed from several ODOT properties. This information is provided in the HazMat files. Each file has a coversheet that identifies specific information and links it to a question number. The coversheet notes if UST information is present in the file.

If a UIC is known, then it will be identified on the As-Built plans.

13k. **any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property;**

Aerial photographs are the best way to show major changes to the highway system. ODOT consulted EPA regarding the photographs to provide as ODOT has an extremely large number of photographs for construction projects within the Investigation Area that may not be useful

to EPA. EPA directed ODOT to provide the photographs for the construction projects that resulted in a major change to the highway system.

As a result, ODOT determined that major construction projects within the Investigation Area with grading, paving and structures have resulted in a major change to the highway system. "Structures" consist primarily of highway pavement, drainage facilities, over- and under-passes, and bridges. The list of construction projects is provided in PHAR-PLANS21.mdb Access. The aerial photos that depict the changes are provided electronically in the folder named:
\\portland_harbor\Data\Aerial_photo.

The flight plans and dates that photos were taken are provided on the electronic list located in the folder named:
\\portland_harbor\Data\Aerial_photo\Aerial_photo\Aerial_photo_report.rtf

The scan images of photos have been included with this submittal. Original aerial photos have not been provided however are available upon request:
\\portland_harbor\Data\Aerial_photo\Aerial_Photo_report.rtf.

Two projects have been identified in the 2008-2010 Statewide Transportation Improvement Plan (STIP) to occur within the Investigation Area:

1. The US 30: Yeon Street Preservation Project (MP 1.97-3.92). (November 13, 2008). This is primarily a preservation (i.e., paving) project;) therefore, no plans to change the drainage system, major signage, or capacity are planned. This was built under Contract number 13956, completed on 09/30/2009, V-number 42-008. Here is the hyperlink to the file:
   \\portland_harbor\Data\Cplans\42V-008.pdf

2. The 2008 ITS Urban and Rural corridor project involves installing a Variable Message Sign (VMS) on US 30 at I-405. The Contract number is 14119, the V-number is 42V-201, the key number is 13700, the schedule completion date 10/31/2010. Here is the hyperlink to the file:
   \\portland_harbor\Data\Cplans\42V-201.pdf

131 all maps and drawings of the Property in your possession; and

The As-Built plans are provided electronically in the PHAR-PLANS21.mdb Access database. As-Built plans represent the field conditions at the completion of a project.

\\portland_harbor\Data\Cplans

The ROW maps are indexed in the PHAR-RW33.mdb Access database. The available written legal descriptions are provided in the PHAR-RW33.mdb Access database.

\\portland_harbor\Data\RWmaps_ADJ
Right of way maps in TIF and Zipped format

\\portland_harbor\Data\RWMPDF_ADJ
Right of way maps in PDF format

These two folders contain the same right of way maps in file formats.

See section 13C for of the GIS files that are being revised and will be submitted when completed.

Site maps for the St. Johns Bridge Rehabilitation Project are provided in the *Preliminary Site Investigation,* which is provided in the Haz Mat File.

\\portland_harbor\Data\StJohnsBridge_C12793\StJohnsBridgeRehab_HazMatFiles

13m all aerial photographs of the Property in your possession.

See response to Question 13k.

14. For Properties adjacent to the Willamette River, provide specific information describing the river-water boundary of private ownership and where state aquatic lands and/or state-management jurisdiction begins. Provide a map that delineates the river-water boundary of each Property.

ODOT assumes that the question means to refer to the river-water boundary of ODOT ownership, rather than "private" ownership, and seeks to know where ODOT's jurisdiction ends and the Department of State Lands (DSL) jurisdiction begins. A field in the PHAR-RW33.mdb Access database notes whether an ODOT parcel is adjacent to the Willamette River. The As-Built plans will depict the river-water boundary.

15. For each Property, provide all reports, information or data you have related to soil, water (ground or surface), or air quality and geology/hydrogeology at and about each Property. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.

All reports, information, and data that ODOT has on file related to soil, water, or air quality and geology/hydrogeology are provided electronically to EPA in the HazMat, geology, hydraulics, and construction project files. The HazMat and geology files have a coversheet that identifies specific information and links it to a question number. The coversheet notes if the information is present in the file regarding whether the file contains geologic, hydrogeologic, soil, or air quality data. The drilling logs and geology files are located in the following folders:
\\portland_harbor\Data\Drilling_Logs
\\portland_harbor\Data\Geology.

ODOT is in the process of conducting stormwater sampling within the Harbor Investigation Area. A report on this sampling is expected July 2011.

ODOT has conducted stormwater sampling at a site immediately upstream of the Steel Bridge and I-5 in 1995, 1996, and 2008. These sampling events are part of stormwater characterization studies for pollutants in highway runoff and the information is provided in the *ODOT Stormwater Quality Data Report for Samples Collected from January 1995 to January 1996* and Draft Report: "Highway Runoff Characterization Study" (Sept 7, 2010). Both can be found at
\\portland_harbor\Data\Stormwater\Data\Data_1996Sampling.

Geologic information for the St. Johns Bridge Rehabilitation Project is included in the *Preliminary Site Investigation,* which is provided in the HazMat file.

16. **Identify all past and present solid waste management units or areas where materials are or were in the past managed, treated, or disposed (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on each Property. For each such unit or area, provide the following information:**

    a. **a map showing the unit/area's boundaries and the location of all known units/areas whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units/areas;**
    b. **dated aerial photograph of the site showing each unit/area;**
    c. **the type of unit/area (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit/area;**
    d. **the dates that the unit/area was in use;**
    e. **the purpose and past usage (e.g., storage, spill containment, etc.);**
    f. **the quantity and types of materials (hazardous substances and any other chemicals) located in each unit/area, and;**
    g. **the construction (materials, composition), volume, size, dates of cleaning, and condition of each unit/area.**

ODOT does not have maintenance yards in the Investigation Area; therefore, ODOT has no current or historic waste management, treatment, or storage areas within the Investigation Area.

ODOT has no solid waste management areas within the Investigation Area boundary. ODOT has a lease with the City of Portland to lease land under the Fremont Bridge to the City to store street sweepings. This lease is provided electronically:
\\portland_harbor\Data\Agree\City_Fremont_StreetSweeping_Renewed.pdf.

Construction contractor(s) may have stored material on site as part of work conducted for a construction project. Directions for storage and disposal would be in the construction specifications for that contract. These are titled, *Special Provisions for Highway Construction*. These are provided electronically in the folder named:

The As-Built plans are provided electronically in the PHAR-PLANS21.mdb Access database. From this database you can get to specifications for each of the contracts. Note: ODOT was not able to obtain the specifications for all of the contracts.

\\portland_harbor\Data\Spec.

The construction contractor is responsible for waste disposal. ODOT does not retain documentation on construction contractor waste disposal. Information on the prime construction contractor for ODOT projects within the Investigation Area that ODOT has on file are provided in the signature sheets for the contracts. The signature pages of the available construction contracts are provided electronically.

For the St. Johns Bridge Rehabilitation Project, the contractor and subcontractors managed multiple waste streams including lead-paint blasting grit, lead paint blasting dust, spent solvent and sludge, waste paint, wash water from washing one of the towers, shower water, personal protective equipment (PPE), lamp ballasts, mercury lamps (universal waste), petroleum contaminated soil from the east bank, pipe liner release cleanup materials, and other solid waste. Information about where and how this was stored is provided in the *Special Provisions for Highway Construction* for this project and in the Pollution Control Plan.

17. **If the unit/area described above is no longer in use, how was such unit/area closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit/area.**

See response to Question 16. ODOT has no record or knowledge of use of property in the Investigation Area for solid waste storage, other than as indicated above.

See response to Question 16 for information pertinent to the St. Johns Bridge Rehabilitation Project.

18. **For each Property, provide the following information regarding any current or former sewer or storm sewer lines or combined sanitary/storm sewer lines, drains, ditches, or tributaries discharging into the Willamette River:**

    a. **the location and nature of each sewer line, drain, ditch, or tributary;**
    b. **the date of construction of each sewer line, drain, ditch, or tributary;**
    c. **whether each sewer line, or drain was ever connected to a main trunk line;**
    d. **whether each sewer line, drain, ditch, or tributary drained any hazardous substance, waste, material or other process residue to the Willamette River; and**
    e. **provide any documentation regarding but not limited to the following on any and all outfalls to the Willamette River which are located within the boundaries of the Property(ies). Your response should include, but not be limited to:**
        i. **the areas serviced by the outfalls; and**
        ii. **the type of outfall (i.e., storm water or single facility operational)**

    ODOT's best and most up-to-date information regarding its drainage system is provided in the ODOT GIS system. This drainage information came from construction as-built plans, which are provided electronically in the PHAR-PLANS21.mdb Access database. ODOT has updated this information into a GIS. Detailed highway drainage maps have been created in a PDF format and will be submitted at a later date. See section 13C for a complete list.

Typically, the ODOT drainage system has drained stormwater and occasional spills as run-off from the state highway system. See response to Question 19 for information regarding constituents of the drainage.

A map that depicts ODOT-owned stormwater outfalls to the Willamette River in the Investigation Area is provided electronically in \\portland_harbor\Data\Stormwater\ODOT_outfalls_11x17.pdf.

In addition to ODOT-owned property, areas serviced by the outfalls include various private and public property owners.

The *Preliminary Site Investigation* for the St. Johns Bridge Rehabilitation Project includes design location for new stormwater treatment system that ODOT constructed under the east end of bridge. The *Stormwater Report in Support of the St. Johns Bridge (Portland)* provides the drainage study and information on the conveyance system design. Both documents are provided in the St. Johns Bridge folder: \\portland_harbor\Data\StJohnsBridge_C12793\

Further information can be obtained through reviewing the As-Built Plans.

Refer to the response to Question 13g for stormwater treatment facilities.

19. **Provide copies of any stormwater or property drainage studies, including data from sampling, conducted at these Properties on stormwater, sheet flow, or surface water runoff. Also provide copies of any Stormwater Pollution Prevention or Maintenance Plans or Spill Plans developed for different operations during the Respondent's operation of each Property.**

The general guidelines for stormwater management, hazardous materials and substances spills, and maintenance are provided in the *ODOT Standard Specifications for Construction* and the *Supplemental Standard Specifications for Highway Construction.* The versions for 1953-1954, 1964, 1970, 1984, 1991, 2002, and 2008 are provided electronically in the folder named: \\portland_harbor\Data\Stand_Spec.

These versions are provided to give EPA a representative of the standard specifications through time. The 1974 and 1996 guidelines are available upon request.

Stormwater

See response to Questions 15 and 18.

Property drainage studies and hydrologic studies may have been conducted and developed in relation to a construction project. The studies that ODOT has on file are provided electronically in \\portland_harbor\Data\Hydraulics.

Drainage studies and hydrologic studies may have been conducted and developed in relation to an application for an ODOT District Maintenance Permit. The studies that ODOT has on file are provided in the Maintenance District 2B Permit files.

In 1993 the City of Portland (COP), along with ODOT and other government agencies that own and operate public storm systems located within the COP Urban Growth Boundary, obtained a joint NPDES Municipal Separate Storm

Sewer System (MS4) permit to meet the requirements of the Clean Water Act for ODOT stormwater discharges in the Portland area. The joint MS4 permit expired in 1998. At that time, ODOT developed its own Stormwater Management Plan (SWMP) and applied to DEQ for a statewide MS4 permit that addressed all ODOT stormwater discharges statewide. DEQ issued ODOT an individual MS4 permit on June 9, 2000 that authorized an ODOT stormwater management program intended to reduce pollutants in ODOT stormwater to the maximum extent practicable and to conform with all stormwater requirements and conditions set forth in the MS4 permit. On December 1, 2004, ODOT updated its 2000 SWMP and submitted a renewal application to DEQ to renew its five year, 2000 MS4 permit.. DEQ has not yet renewed ODOT's 2000 permit but still considers this permit valid until a new permit is issued. The permit satisfies ODOT's obligations under the Clean Water Act (33 U.S.C. § 1251 *et seq.*). ODOT has been in compliance with the permit since it was issued by DEQ. The documents are provided electronically in \\portland_harbor\Data\Stormwater\MS4.

The current Best Management Practices (BMPs) for stormwater pollution prevention for maintenance activities within the Investigation Area are provided in the ODOT *Routine Road Maintenance Water Quality and Habitat Guide Best Management Practices* (2004) and the ODOT *Environmental Management System.* The BMPs for stormwater pollution prevention that were utilized prior to the current BMPs are provided in the *ODOT Maintenance Manual* (1983) and (1964). These documents are provided electronically in \\portland_harbor\Data\Maintenance_Files\Manuals\MaintenanceGuides.

ODOT's Total Maximum Daily Load (TMDL) Statewide Implementation Plan is provided electronically \\portland_harbor\Data\Stormwater

Spills

The *ODOT Emergency Response Guidebook* and *Employee Guide to Highway Incidents and Hazardous Material Response* provide current protocols for spills of hazardous substances to ODOT project teams, contractors, and responders. Past protocols for spill response are provided in the 1988 *Oregon State Highway Department Emergency Operations Plan.* These documents are provided electronically in \\portland_harbor\Data\SpillResponse.

Prior to the 1970s, laws and common practice did not require the current level of spill prevention and cleanup. However, the number of vehicles traveling the state highways, and the type of cargo they carried were quite different in the 1930s – 1970s. Spills were likely less frequent and of smaller volume.

The spill prevention plans for the construction projects in the Investigation Area are incorporated into the construction specifications, which are provided in the documents titled, *Special Provisions for Highway Construction.*

20. **Describe the nature of your operations or business activities at each Property. This question includes all operation and maintenance activities within the Investigation Area that Respondent has conducted on state roads, state rights of way or easements, bridges, or any other areas within the Investigation Area where Respondent has conducted any type of operation or maintenance activities. If the operation or business activity changed over time, please identify each separate operation or activity, the dates when each operation or activity was started and, if applicable, ceased.**

The general change in ODOT's operations from 1937 to 1987 is provided in the *Oregon State Highway Commission Biennial Report* that was published on a biennial basis from the early 1900s to 1987. Biennial reports from each decade in question are provided to help EPA understand how ODOT operations and maintenance activities have changed over time. These biennial reports are provided electronically in the folder named:
\\portland_harbor\Data\Biennial_Reports.
All biennial reports can be provided upon request.

CONSTRUCTION
The ODOT facility in the Portland Harbor Investigation Area consists of state-owned highways and bridges and the supporting infrastructure. A list of the construction projects that have occurred in the Investigation Area is provided in the folder named:

The Index to As-Built plans are provided electronically in the PHAR-PLANS21.mdb Access database. As-Built plans represent the field conditions at the completion of a project.

\\portland_harbor\Data\Cplans.
The plans are stored by V-number

The construction projects from 1937 to present and contractors that conducted the work are provided via the electronic construction contracts and signature pages. The materials used and specifications followed for each project are provided in the *Special Provisions for Highway Construction* for each project within the Investigation Area. In addition, a bridge list is provided in the following folder that lists all over water and over-crossing structures.
\\portland_harbor\Data\Bridges.

The general guidelines for stormwater management, spills, and maintenance are provided in the *ODOT Standard Specifications for Construction* and the *Supplemental Standard Specifications for Highway Construction.* The changes in the standard specifications over time are documented in the different versions of the *ODOT Standard Specifications for Construction.*

BRIDGE AND ROAD MAINTENANCE

ODOT Maintenance maintains the state highway system within the Investigation Area through routine road maintenance activities. Ensuring that the transportation system is stable and operating efficiently through routine and regular maintenance minimizes and avoids the potential for mass failure and subsequent impact to receiving water bodies. The maintenance operations have changed over time to meet environmental laws and regulations. Since 1997, maintenance crews have followed the guidelines in the *ODOT Routine Road Maintenance Water Quality and Habitat Guide* (Guide). Four versions of the Guide have been published: 1997, 1999, 2004, and 2009. The 2009 Guide is recognized by the National Marine Fisheries Service (NMFS) in its federal 4(d) rules under the Endangered Species Act (ESA) as providing direction, BMPs, and technical guidance for routine road maintenance activities. The Oregon Department of Fish and Wildlife (ODFW) was actively involved in development of this guidance and recognizes it as a tool for ODOT maintenance forces to minimize impacts to fish and wildlife habitat across the state and to meet the elements of the State ESA. These documents are provided electronically at \\portland_harbor\Data\Maintenance_Files\Manuals\RoutineRoadMaintenance_WQHabitatGuide.

Prior to the Guide, ODOT Maintenance crews followed the protocols provided in the *1983 ODOT Maintenance Manual,* which superseded the *1964 ODOT Maintenance Manual.* Prior to the *1964 ODOT Maintenance Manual,* ODOT maintenance crews followed the guidance in the *Oregon State Highway Commission Maintenance Department Specifications, General Instructions and Miscellaneous Data relative to the 1946 Plant Patching Program* and the *Oregon State Highway Commission Maintenance Department Specifications, [General Instructions and Miscellaneous Data relative to the 1946 Oiling Program].* Pertinent sections of both documents are provided electronically in the folder named: \\portland_harbor\Data\Maintenance_Files\Manuals\MaintenanceGuides. The entire document is available upon request.

Stormwater Management

Stormwater management is part of every activity performed by ODOT. Stormwater quantity and quality are issues that must be considered and addressed during every activity performed by Maintenance crews. Stormwater BMPs are included under specific maintenance activities, as appropriate. The goal of the BMPs is to reduce or eliminate pollutants of concern from entering the waters of the state to the maximum extent practicable. ODOT manages stormwater associated with the transportation system and maintenance facilities through erosion control, trapping winter sanding materials, developing permanent stormwater treatment facilities, and maintaining ditches and stormwater treatment facilities.

ODOT first strives to avoid stormwater impacts to receiving water bodies during the project development process through implementing appropriate project

design. If avoidance cannot be accomplished, then minimization of stormwater impacts is achieved through use of stormwater treatment BMPs.

Through project delivery, scoping and baseline reports identify water resources that could be impacted by stormwater discharges from the project, as well as opportunities for treatment, and constraints. During the initial design, proposed treatments are analyzed to see they meet water quality goals set out by ODOT guidance (*Geo-Environmental Technical Bulletin 09-02[B]*) and regulatory agency requirements. Selection of treatment techniques for a project is aided by a Best Management Practices (BMP) Selection Tool, which was developed under the direction of a multi-agency Stormwater Action Team. By the time the project Design Acceptance Package (DAP) is complete, a conceptual Stormwater Management Plan has been developed, the type and location of treatment facilities have been determined, and regulatory and resource agencies have reviewed and unofficially approved the plan.

Stormwater Operation and Maintenance Manuals are also developed to assist ODOT Maintenance staff with locating facilities, and providing guidance and facility inspection schedules. O&M Manuals are important to ensure that stormwater treatment facilities are maintained in such a way that they function as designed and to meet the intent for which they were designed.

ODOT Maintenance promotes sheet flow for stormwater to leave the road, when and where appropriate. Methods for maintaining sheet flow include blading or grading to re-establish sheet flow in areas where stormwater is being concentrated.. ODOT also works with regulatory agencies and land management agencies, as appropriate, to resolve heavy sediment or pollutant impacts to ODOT structures and drainage systems that result from adjacent land management practices, and will minimize discharge to receiving streams (i.e., plugging scuppers and weep holes of bridges, installing curbing to divert water off structures, constructing sand traps, etc.).

Maintenance staff maintain permanent water quality structures designed and constructed to treat stormwater runoff from ODOT roads and facilities. Maintenance activities include removing sediment, vegetation, changing filters, holding periodic inspections, and grading as needed.

The ODOT Project Delivery Operational Notice, PD-05, (provided electronically in \\portland_harbor\Data\Stormwater\PDLTNotice05.pdf) provides guidance to ODOT project teams in determining the need for stormwater quality mitigation for runoff from ODOT projects and the necessary level of mitigation. PD-05 was instituted in August 2000 to address more stringent regulatory requirements. By defining when mitigation is required and providing guidance on the appropriate levels of mitigation, ODOT has incorporated stormwater quality planning and budgeting early into its project development process. PD-05 does not address stormwater quality during project construction. For stormwater quality mitigation during construction refer to Sections 00280 and

00290 of the *ODOT Standard Specifications for Construction* and the *Supplemental Standard Specifications for Highway Construction.*

Surface Work

Surface and inlay repair includes: all repairs of road bases, surfaces and shoulder irregularities, including asphalt concrete, and chip seal surfaces. Activities also include deep base digging, site dewatering, fog sealing, and filling voids (slab jacking).

Void Filling

Void filling involves filling voids in asphalt or concrete roadways that are not on bridges or culverts. A non-toxic dye test is used whenever a void is within 300 feet of a waterbody or if it cannot be positively determined if a void can be filled without impacting a waterbody. Foam or other quickset material is used to plug the void prior to using concrete, if the void is connected to a waterbody. The intent of the plug is to prevent concrete from entering a waterbody. Good housekeeping practices including erosion control and spill containment are used when using a dry product to fill voids.

Shoulder Blading and Repair

Maintenance crews conduct shoulder blading and repair, which includes blading and pulling shoulders to the pre-existing dimensions using existing materials. No new material can be added under this activity. The work is conducted to correct rutting and buildup of materials; to remove weeds; to maintain safety; and to maintain proper drainage. This activity does not modify ditch hydraulic capacity. Erosion control measures are installed when appropriate (e.g., check dams in roadside ditches), and blading is recommended to be conducted in dry weather, while moisture is present in the soil and aggregate (to minimize dust). This activity is incorporated into local Integrated Vegetation Management (IVM) plans to coordinate activities, and disturbed soils are permanently stabilized using BMPs (e.g., seeding, plants) as conditions warrant.

Shoulder Rebuilding

ODOT maintenance crews conduct shoulder rebuilding, which includes replacing material lost to slumping or compaction, then blading, pulling, and rebuilding the shoulder to the pre-existing dimensions. This work is conducted to correct rutting and buildup of materials, to remove weeds for safety, and to maintain proper drainage. This activity does not modify hydraulic capacity. Maintenance crews consult the Resource Maps (RES) and Restricted Activity Zone Maps (RAZ), which utilize data collected by ODOT's Environmental Services section. The maps identify areas of concern prior to starting work and the environmental staff are contacted if the work is to occur in a sensitive area. Erosion control measures, such as check dams in roadside ditches, are installed when appropriate, disturbed soils are permanently stabilized using BMPs (seeding, plants), where appropriate, care is taken not to oversteepen ditch slopes or decrease ditch capacity, which could result in slope failure.

Sweeping and Flushing

Maintenance crews conduct sweeping and flushing of roadways, curbs, and bridge decks to remove dirt and debris, and scupper (weep holes or direct drains on bridges) cleaning. Materials are sidecast (not recovered) under this activity. Scupper cleaning involves unplugging the scuppers with a rod, sweeping excess material away from the scupper, and then cleaning the scuppers with high-pressure water. Activities are performed year round. Sweeping is scheduled during damp weather, when feasible, to minimize dust production, and if sweeping cannot be conducted during damp weather, then water is used to reduce dust. Bridge sweeping/flushing activities are completed prior to washing to cause less sediment to be washed off of the bridge. The sweeper and broom speed are slowed and the angle of the broom is changed to prevent sweepings from leaving road shoulders and entering a stream if the road is parallel to a waterbody that is less than 25 feet from the fog line. [Vegetation buffers] may be planted to catch sanding material and other pollutants to protect the water quality of nearby water bodies. Winter maintenance chemicals are used instead of sand and gravel during winter conditions to reduce the use of sanding material and the need for sweeping.

Ditch Shaping and Cleaning

This activity includes use of equipment for cleaning and reshaping of ditches including loading, hauling, and disposing of excess materials. Material is removed to an approved location (outside of the Investigation Area) for disposal and storage. Vegetation located in the ditch is removed during cleaning. This activity is performed in all weather. The goal is to maintain ditches in a manner that allows for efficient stormwater passage, storage, and infiltration while minimizing sediment impacts to water quality.

Erosion control devices such as check dams, silt mats, and other erosion control measures are used when the potential exists to have sediment or other materials enter waters of the State. The ODOT *Erosion Control Field Manual* (2006), (provided electronically in- \\portland_harbor\Data\ErosionControl), is used for guidance on selection and installation of erosion control measures. Drainage ditches are reseeded, as appropriate. Existing ditch slopes are modified, where appropriate, to trap sediment and support development of vegetation. Collected ditching material is disposed of above the Ordinary High Water Line and not in a waterway or wetland. Ditch work is performed when the ditch is dry but still has sufficient soil moisture to prevent dust and the movement of small particulates to minimize environmental impacts.

Erosion Repair

Erosion repair involves repairing water damage to roadways and fill-slopes, including importing and shaping material to restore slope and grade lines. In-water work covered by this action could include, but is not limited to, replacement of riprap or rock which has been removed due to bank erosion, gabion baskets, etc. In-kind replacement of riprap or other approved fill material is conducted in coordination with ODOT engineers, Oregon Department of Fish

and Wildlife (ODFW), the U.S. Fish and Wildlife Service (USFWS), the National Marine Fisheries Service (NMFS), DSL, and the U.S. Army Corps of Engineers (Corps).

Maintenance staff coordinates with ODOT environmental staff and the appropriate regulatory agency if a permit is required and if erosion repair activities cause significant changes in the topography or vegetation within the riparian area. Riprap is replaced during the ODFW in-water work periods, unless it is an emergency or must be addressed before next high water event. Excess or removed material is disposed of at appropriate sites above the Ordinary High Water Line (OHWL) so the material will not be washed into wetlands or waterways, or impact other sensitive resources.

Sign Installation

Sign installation includes washing, locating, installing, repairing and replacing signs along the rights of way. Erosion control devices are installed to prevent work from possibly impacting wetlands and waters of the state.

Guardrail Replacement

This activity involves repair and replacement of existing guardrail sections, including pouring concrete pads and placing concrete barriers. Erosion control devices are installed to prevent work from possibly impacting wetlands and waters of the state, where appropriate.. All green concrete is to be contained to prohibit it from coming into contact with the aquatic system.

Attenuator Maintenance

This activity includes service, repair, replacement, and realignment of damaged attenuators (physical systems that are strategically placed along exit ramps, bridge abutments, etc. to minimize impacts and cushion vehicles. Following impact, attenuators compact, sometimes releasing fluid (often ethylene glycol). Eight attenuators were installed in the Investigation Area between 1985 and 1987 at the Broadway Bridge, St. Johns Bridge, and at [N. Greeley Ave]. These attenuators were removed from service in 2000 and replaced with non-chemical systems. The most environmentally sound devices were used when replacing the attenuators. Absorbent materials (dams, diapers, etc.) are placed around attenuators during repair or maintenance. Inlets are to be closed during attenuator maintenance if this can be done so safely.

Guardrail Cleaning

This activity involves the removal of material from under guardrail and around posts by hand or grader mounted cleaner. The goal is to clean and install guardrail while preventing debris from entering water bodies or streams. The material is contained to prevent it from entering streams or water bodies and excess material is picked up rather than blading material out on the bank when working near streams.

Bridge Maintenance

There are two major categories of bridge maintenance: drift removal and maintenance of bridges and large culverts. Maintenance and replacement of structures includes washing, painting, scraping and patching of curbs, rails, deck joints, on wood, concrete and steel bridge components. The goal is to maintain and repair the structural integrity of bridges and culverts along state highways in a manner that minimizes impacts to natural resources.

Drift Removal
All work is performed within the flowing channel of any aquatic system during the appropriate in-water work window for that system or as negotiated with ODFW. Drift is managed using the following priorities: turning and allowing to float drift, removal of drift to riparian area safely out of the channel, removal of drift and placement downstream of structure, cutting and turning drift to float. Riparian areas that have been temporarily impacted are repaired and restored.

Bridge Cleaning and Maintenance
ODOT follows the ODFW Bridge Washing Guidelines, which are provided electronically at:
\\portland_harbor\Data\Maintenance_Files\ODFW_BridgeWashingGuidelines_2003.pdf.

Prior to the ODFW Bridge Washing Guidelines, the guidelines provided in the 1999 *ODOT Routine Road Maintenance Water Quality and Habitat Guide* were followed.

Measures are taken to ensure that paint and other hazardous material does not enter waters of the State. Guano removal and other specific concerns are coordinated with DEQ. If material falls into the water it is removed using the least destructive method possible or left in place if that measure is determined to be less destructive to fish habitat. Deck drains and scuppers are temporarily blocked over streams when pressure washing, sandblasting, or scraping structures, to route water off of the deck and into vegetated areas, where practicable. Debris removal from bridge decks is conducted in a manner that minimizes material entering water bodies. Preferred methods may include removal of large debris from bridge decks with a sweeper or shovel. Other material may be scraped by hand before being collected, removed (prior to pressure washing).

Bridge Repair
In-water bridge repair can include repair or replacement of riprap, drainage features, and catch basins and replacement of structural members. The goal is to maintain and repair the structural integrity of bridges and culverts along state highways in manner that minimizes impacts to natural resources. All necessary permits are obtained. Refuse material is placed above the bank, away from waterways and wetlands. Measures are taken to ensure that the active flowing stream will not come in contact with fresh, plastic concrete. Saw chips are contained, where feasible. and cofferdams are used for structural repairs as

appropriate. The NMFS guidance for use of pressure treated wood and creosote is followed if these materials are used. This guidance is provided in \\portland_harbor\Data\Maintenance_Files\NMFS_PressureTreatedWood_Guideance.pdf,
and is titled *NOAA Guidelines for Use of Treated Timbers from SLOPES III.*

Bridge Vegetation
This activity includes vegetation management around existing bridges. The primary purpose is to maintain sight distance and must also maintain access to the bridge structure for structure maintenance, fire safety, access for bridge inspection, and to maintain the integrity of the structure. Brush to 20 feet on either end and under all maintained bridges is removed for access and repair.

Snow and Ice Removal
This activity includes removal of snow, ice, and slush from roadways, ramps, interchanges, and shoulders. The removal is conducted by snow plow, grader, or snow blower. The goal is to remove snow and ice from the roadway for safety purposes, while protecting nearby forestry and water resources. Maintenance crews are instructed to reduce plowing speeds in sensitive areas and to adjust the blower chute to minimize blowing into sensitive areas, where appropriate and if traffic allows.

Sanding and Pre-wetting
This activity includes applying abrasive material to roadway surfaces to assist with traction. ODOT recycles sanding material into shoulders. ODOT crews estimate that anywhere from 10% to 50% of the sand applied is trapped. The majority of sanding material is removed form the road by plows. ODOT captures sand around bridge, guardrails, and near streams, where possible. This activity also includes mixing pre-wetting agents, such as magnesium chloride (MgCl) or calcium magnesium acetate (CMA), with sanding material. MgCL is now preferred by ODOT and ODF&W. It is less expensive than CMA. Both chemicals are less likely to impact fish and water quality than gravel or salt. Pre-wetting sanding material helps the material bore into the snow and ice. Maintenance crews are instructed to carefully review the use of sanding material in the following areas: those with dust-related air quality problems; those where there is danger of siltation in streams, shallow lakes, or ponds. Barriers are placed in site-specific locations to capture sanding material where appropriate and practical, along streams or areas that drain directly to water bodies.

Anti-icing and Deicing
This activity includes applying anti-icing and deicing chemicals to road surfaces to prevent snow and ice from bonding to the roadway or to break the bond between snow and ice and the roadway. This activity is performed for safety purposes. The use of anti-icing and deicing material is helpful in reducing the need for sanding material. Reducing the use of sanding material will also reduce sanding-related impacts to air quality, water quality, and aquatic habitat.

Maintenance crews are instructed to carefully review the use of anti-icing and deicing chemicals in the following areas: where receiving waters will not provide 100:1 dilution; areas without a vegetation buffer between the road and waterbody (especially shallow ponds, lakes, or wetlands); areas having coarse soils overlying sensitive aquifers or percolation devises (French drains, etc.). Barriers are placed in site-specific locations that are adjacent to sensitive areas or drain directly to water bodies. This is in part why ODOT has installed water quality manholes at several locations in the Harbor area, including either side of St Johns Bridge, and in the ODOT storm system that drains the Freemont Bridge structure.

Emergency Maintenance

This activity includes repairing damage to roadways, the roadside and structures (bridges) caused by storms, floods, and other activity. Failure to perform this activity may result immediate threat to life, limb or structures. Maintenance crews repair any damage to fishery or water resources caused by the responses to the emergency as directed by ODFW. Erosion control or bank stabilization is provided to prevent materials from entering watercourses.

Spill Prevention and Response

Spill prevention and clean up can be required during routine road maintenance activities, the operation of equipment and fleet vehicles, and events that may be encountered along the roadways. The goal is to minimize spills and impacts to natural resources. To meet this goal absorbents and/or emergency response equipment are on-site to clean spills if they occur, spill prevention training has been provided to employees, and spills are cleaned as quickly as possible.

The *ODOT Emergency Response Guidebook* and *Employee Guide to Highway Incidents and Hazardous Material Response* provide current protocols for spills of hazardous substances to ODOT project teams. Past protocols for spill response are provided in the two versions of the *Oregon State Highway Department Emergency Operations Plan* that were published in the late 1970s and the 1980s. Prior to the 1970s, laws and common practice did not require the current level of spill prevention and cleanup.

Spill prevention requirements are located in Section 00290 of the *ODOT Standard Specifications for Construction.* Spill Prevention Plans (called Pollution Control Plans) are produced by the contractors. The Pollution Control Plans that ODOT has on file are provided electronically in:
\\portland_harbor\Data\Hazmat.

Pesticide and Herbicide Use

Since 1998 ODOT has used integrated pest management (IPM) as a means to control vegetation and pests along the state highways and roads. IPM means a coordinated decision-making action process that uses the most appropriate pest control methods and strategy in an environmentally sound manner to meet ODOT pest management objectives.

To ensure IPM was implemented statewide, ODOT established a Vegetation Advisory Committee in 1998 to determine the best manner in which to manage vegetation along State ROW and Maintenance Yards. As a result, IPM teams were established in each Maintenance District to create a yearly implementation plan with major emphasis on prevention of unwanted vegetation for safety to the public.

Since 1998, IPM teams have published Integrated Vegetation Management plans for each Maintenance District. The current *ODOT Maintenance District 2B Integrated Vegetation Management Plan (IVM)* represents current ODOT policies. The first version of the IVM for Maintenance District 2B is provided electronically. Subsequent versions are available upon request. Both documents are provided in the following folder:
\\Sc-reg1hq1\portland_harbor\Data\Materials\Herbicide.

The IVM Plan instructs ODOT staff to incorporate the elements of the IVM Plan into the development, construction, maintenance, and operation of the ODOT transportation system. The IVM Plan directs ODOT staff to follow EPA label requirements, use applicators licensed according to Oregon Department of Agriculture (ODA) standards, comply with the Endangered Species Act (ESA) and the Clean Water Act, and to utilize the BMPs in the ODOT *Routine Road Maintenance Water Quality and Habitat Guide, Best Management Practices* (2004).

The *ODOT Pesticide Handling and Application Manual* provides information on the purpose, use of, training for, and safety procedures in, pesticide handling and application. This manual is made available to all ODOT crews and is carried in vehicles used for pesticide application. is provided electronically in
\\Sc-reg1hq1\portland_harbor\Data\Materials\Herbicide.

Prior to the publication of the *ODOT Pesticide Handling and Application Manual* and the *ODOT Maintenance District 2B Integrated Vegetation Management Plan (IVM)*, maintenance crews were instructed to follow the Directions for Use on the herbicide label.

The herbicide spray log for I-5 and Highway 30 is provided electronically in \\Sc-reg1hq1\portland_harbor\Data\Materials\Herbicide for spraying conducted when said activity was recorded by ODOT maintenance crews. The log provides the date of spraying, the area sprayed, the quantity, and the brand name of the herbicide used. The MSDS for the herbicides used are provided electronically in \\portland_harbor\Data\MSDS.

21. At each Property, did you ever use, purchase, generate, store, treat, dispose, or otherwise handle any waste, or material? If the answer to the preceding question is anything but an unqualified "no," identify:

a. **in general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;**

b. **the chemical composition, characteristics, physical state (e.g., solid, liquid) of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;**

c. **how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;**

d. **the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;**

e. **describe in detail your handling and use of asphalt shingle material on state roads, rights of way or easements, bridges, or any other property or area within the Investigation Area, including, all information requested in subsections b., c., d., of this Question; and**

f. **describe how state road bridges in the Investigation Area are maintained, painted, or otherwise repaired and what types of best management practices may have been employed over time to minimize releases or discharges of material to the Willamette River during such bridge work.**

a-d. The construction contractor is responsible for transport and disposal of construction and hazardous waste. ODOT has not consistently retained information on contracts or other documents that reflect transport and disposal of construction project waste. The construction contractor is required to retain this information six years after payment of last invoice.

The disposal receipts that ODOT has on file for the St. Johns Bridge Rehabilitation Project are provided electronically in the St. Johns Bridge folder.

The *ODOT Standard Specifications for Construction* and the *Supplemental Standard Specifications for Highway Construction* provide the standard specifications for purchasing, generating, storing, treating, disposing of, and handling waste and materials associated with ODOT construction projects.

The special provisions for individual construction projects within the Investigation Area, titled *Special Provisions for Highway Construction*. These documents provide guidance on purchasing, generating, storing, treating, disposing of, and handling waste and materials by construction contractors associated with ODOT construction projects in the Investigation Area.

Maintenance may have reused clean fill along the road network within the Investigation Area. ODOT has no record on file documenting such use.

e. Please refer to the *ODOT Sparkless Bark Mulch Management Plan* for information on the management of sparkless bark, which is composed of asphalt shingle material. ODOT has discontinued use of sparkless bark and removed the sparkless bark from the Investigation Area in 2008 after approximately 5 years. The only sparkless bark in the IA was at the Yeon-I-405 Interchange. The disposal receipt is provided. The details of disposal are provided in the *ODOT Sparkless Bark Mulch Management Plan.* The DEQ study, *Staff Report: Reuse of Roofing Waste as Landscaping* Mulch is provided. All documents are provided electronically in \\portland_harbor\Data\SparklessBark.

f. Please see the response to Question 20 and 22 for information on ODOT's maintenance and repair of bridges.

22. Describe all activities at each Property that was conducted over, on, or adjacent to, the Willamette River. Include in your description whether the activity involved hazardous substances, waste, or materials and whether any such hazardous substances, waste, or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located in the Willamette River.

FREMONT BRIDGE CONSTRUCTION

The construction on the Fremont Bridge was completed in 1973. It carries Interstate 405 and US 30 traffic between downtown and North Portland where it intersects with I-5. The bridge has two decks carrying vehicular traffic, each with four lanes. The upper deck is signed westbound on US 30 and southbound on I-405. The lower deck is signed eastbound on US 30 and northbound on I-405. The construction plans for the Fremont Bridge are provided in the folder titled named:
\\portland_harbor\Data\Bridges\Fremont_Br_0259\

BRIDGE MAINTENANCE AND REPAIR

The following maintenance activities have been conducted over or adjacent to the Willamette River. See response to Question 20 for a detailed description of the activity and for information on historical activities. See response to Question 51 for information on spills within the IA.

- Spill Prevention and Clean Up
- Sweeping and Flushing
- Drift Removal
- Bridge Vegetation
- Snow and Ice Removal
- Spill Prevention and Response
- Anti-icing and Deicing
- Emergency Maintenance
- Sanding and Pre-wetting

23. **For each Property at which there was or is a mooring facility, dock, wharf or any over-water structure, provide a summary of over-water activities conducted at the structure, including but not limited to, any material loading and unloading operations associated with vessels, materials handling and storage practices, ship berthing and anchoring, ship fueling, and ship building, retrofitting, maintenance, and repair.**

ODOT does not own a mooring facility, dock, or wharf in the Investigation Area. ODOT does own three bridges that span the Willamette River within the Investigation Area; therefore, see response to Question 22.

24. **Describe all activities conducted on leased aquatic lands at each Property. Include in your description whether the activity involved hazardous substances, waste, or materials and whether any such hazardous substances, waste, or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located on such leased aquatic lands.**

ODOT has no aquatic land leases within the Portland Harbor Investigation Area.

25. **Please describe the years of use, purpose, quantity, and duration of any application of pesticides or herbicides on each Property during the period of investigation (1937 to the present). Provide the brand name of all pesticides or herbicides used.**

See the response to Question 20 for pesticide and herbicide use.

26. **Describe how wastes transported off the Property for disposal are and ever were handled, stored, and/or treated prior to transport to the disposal facility.**

See response to Question 21.

27. **Has Respondent ever arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials to any Property (including the Willamette River) within the Investigation Area? If so, please identify every Property that Respondent's materials were disposed or treated at in the Investigation Area. In addition, identify:**

a. **the persons with whom the Respondent made such arrangements;**
b. **every date on which Respondent made such arrangements;**
c. **the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid) and quantity (volume and weight) of all materials involved in each such arrangement;**
d. **in general terms, the nature and quantity of the non- hazardous materials involved in each such arrangement;**

e. **in general terms, the nature and quantity of any hazardous materials involved in each such arrangement;**

f. **the owner of the materials involved in each such arrangement, if not Respondent;**

g. **all tests, analyses, analytical results or manifests concerning each hazardous material involved in such transactions;**

h. **the address(es) for each Property, precise locations at which each material involved in such transactions actually was disposed or treated;**

i. **the owner or operator of each facility at which hazardous or non-hazardous materials were arranged to be disposed at within the Investigation Area;**

j. **who selected the location to which the materials were to be disposed or treated;**

k. **who selected the Property as the location at which hazardous materials were to be disposed or treated; and**

l. **any records of such arrangement and each shipment.**

The construction contractor for the St. Johns Bridge Rehabilitation Project transported waste to an adjacent property (not owned by ODOT) prior to disposal. See the Pollution Control Plan and file for more information.

Other than the waste mentioned above for the St. Johns Bridge Rehabilitation Project, ODOT has no known record of disposal of waste materials to any property within the Investigation Area and no record of arrangement for transportation for disposal or treatment of waste materials to any property within the Investigation Area.
\\portland_harbor\Data\Agree\City_Fremont_StreetSweeping_Renewed.pdf

ODOT does not have complete knowledge of the disposal activities undertaken by third parties that lease from ODOT..

28. **Describe the plants and other buildings or structures where Respondent carried out its operations at each Property within the Investigation Area (excluding locations where ONLY clerical/office work was performed).**

See response to Question 13d.

29. **Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations on each Property.**

ODOT owns and maintains the highway system within the Investigation Area. Due to the nature of ODOT's activities a diagrammatic response is not applicable. See response to Questions 20 and 22 for a narrative response.

30. **Provide a brief description of the nature of Respondent's operations at each location on each Property including:**

a. **the date such operations commenced and concluded; and**

b. **the types of work performed at each location, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.**

See response to Questions 20 and 22.

31. **If the nature or size of Respondent's operations changed over time, describe those changes and the dates they occurred.**

See response to Question 13k regarding construction projects that resulted in major changes to the highway system within the Investigation Area. See response to Question 20 regarding changes in maintenance and operations procedure implementation strategies resulting from changes in technology and legal requirements. The basic activities have remained the same.

ODOT's BMPs for construction and maintenance have changed over the years to reflect new environmental regulation. See response to Question 20 for information on the change in maintenance operations, spill prevention and response, herbicide use, and stormwater management.

ODOT has given, sold, bought, and traded land with private citizens and companies, the county, other state agencies, and the City of Portland. These transactions are provided in the ROW files and in the IGAs. See response to Questions 4 and 5 for information on property ownership change.

32. **List the types of raw materials used in Respondent's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.**

The raw materials used in construction projects are provided in the construction contracts, the *Oregon Standard Specifications for Highway Construction,* and the *Supplemental Standard Specifications for Highway Construction.*

ODOT does not manufacture or produce any products. Please see #20, 21, 22, and 25 above for treatment of waste and spilled material on the right of way.

33. **Provide copies of Material Safety Data Sheets (MSDS) for materials used in the Respondent's operations.**

Copies of the MSDS for materials used in ODOT operations that ODOT has on file are provided electronically in: \\portland_harbor\Data\MSDS.

34. **Describe the cleaning and maintenance of the equipment and machinery involved in these operations, including but not limited to:**

   a. **the types of materials used to clean/maintain this equipment/machinery;**
   b. **the monthly or annual quantity of each such material used.**
   c. **the types of materials spilled in Respondent's operations;**
   d. **the materials used to clean up those spills;**
   e. **the methods used to clean up those spills; and**
   f. **where the materials used to clean up those spills were disposed of.**

a-c. ODOT conducts equipment cleaning and maintenance at ODOT maintenance yards. No maintenance yards are currently or have historically been located within the Investigation Area. Consequently, in the Investigation Area, ODOT has no record of spills of any material used to clean equipment.

Contractors and subcontractors may have conducted equipment cleaning and maintenance in the Investigation Area in activities associated with construction projects. The standard construction specifications and the project-specific specifications, which are provided in the *Special Provisions for Highway Construction* for each project that has occurred within the Investigation Area from 1937 to present are provided electronically. Section 290.30 in the *ODOT Standard Specifications for Construction* provides some environmental constraints on equipment cleaning and maintenance for contractors and subcontractors. This section was added in 2002.

The Pollution Control Plan for the St. Johns Bridge Rehabilitation Project contains information about equipment refueling and maintenance on site.

d-e. For cleanup of accidental spills from equipment cleaning and maintenance of construction contractors' vehicles, the National Response Corporation (NRC), formerly Foss Environmental, invoices that ODOT could find on file are provided electronically in:
\\portland_harbor\Data\Hazmat\Foss_NRCInvoices.

These invoices provide information about the materials used by the State's cleanup contractor when responding to spills that result in a release of a hazardous substance. See response to Question 21 and 35.

f. Other than wastes from the St. John's Bridge construction (see response to Questions 21 and 40), waste generated by construction contractors is considered the contractor's waste and ODOT does not have a record of where the waste is taken for disposal. Waste generated from spill cleanup remains the property of the responsible party. In most cases ODOT does not have a record of the waste disposal. This information may be available from DEQ.

35. Describe the methods used to clean up spills of liquid or solid materials during Respondent's operation.

The *ODOT Emergency Response Guidebook* and *Employee Guide to Highway Incidents and Hazardous Material Response* provide current protocols for spills of hazardous substances to ODOT maintenance staff, project teams and contractors responding to highway incidents. Past protocols for spill response are provided in the 1988 *Oregon State Highway Department Emergency Operations Plan.*

Wastes resulting from accidental spills and depositions, or migrating from adjacent property and street sweepings, are handled in the manner outlined in ODOT's *Routine Road Maintenance Water Quality and Habitat Guide Best Management Practices* (2004), the *ODOT Maintenance Yard Environmental Management System (EMS) Policy and Procedures Manual* (2004), and *ODOT Emergency/Urgency Maintenance Best Management Practices.* These documents are provided electronically at:
\\portland_harbor\Data\Maintenance_Files.

Waste management guidelines followed prior to the current guidelines are provided in the *ODOT Maintenance Manual* (1983) and (1964). These documents are provided electronically.

Spill cleanup for the St. Johns Bridge Rehabilitation Project was conducted by vacuuming with a HEPA filter if any grit were spilled. Sorbent pads and booms were used to cleanup the 7/13/05 pipe lining release that impacted the FOSS marina in the Willamette River. Further information is located in the St. Johns Bridge file.

36. For each type of waste (including by-products) from Respondent's operations, including but not limited to all liquids, sludges, and solids, provide the following information:

a. **its physical state;**
b. **its nature and chemical composition;**
c. **its color;**
d. **its odor;**
e. **the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and**
f. **the dates (beginning & ending) during which each type of waste was produced by Respondent's operations.**

See response to Questions 16, 21, 34, and 35.

37. **Provide a schematic diagram that indicates which part of Respondent's operations generated each type of waste, including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.**

ODOT owns and maintains the highway system within the Investigation Area. ODOT does not generate any wastes from cleaning and maintaining equipment or machinery as part of its operations in the Investigation Area. On occasion, third parties, without ODOT's consent, deposit hazardous wastes on ODOT right of way through daily vehicle traffic and accidental spills. Wastes may be generated through construction projects. Hazardous substances also leach onto ODOT property from adjacent property. Due to the nature of ODOT's activities a diagrammatic response is not applicable. See response to Questions 20 and 22.

38. **Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.**

The employees in the following table have been or currently are managers in the ODOT Maintenance or Region 1. The Investigation Area is in Region 1. As managers for ODOT Maintenance these employees have knowledge of the maintenance activities that involve the disposal, treatment, storage, recycling, or sale of wastes generated by ODOT road and bridge maintenance activities. Region 1 managers have knowledge of the disposal, treatment, storage, recycling, or sale of waste generated as a result of construction projects occurring in the Investigation Area.

Employee Name	Hire Date	Date Employee Left ODOT
AMES, MICHAEL A	4/1/1973	7/31/1995
ANDERSEN, CRAIG E	10/11/2004	10/11/2006
ANDERSEN, MARTIN E	7/1/1983	Currently Employed
ANDERSON, RICHARD W	4/2/1953	12/23/1994
ANDERSON, TERRY L	9/27/1999	6/30/2000
APPLE, DWIGHT D	7/5/1977	7/31/2003
ATKINSON, BRENT	4/16/2008	Currently Employed
AVILLA, TIMOTHY C	6/29/1978	Currently Employed
BACON, DAN W	6/19/1978	Currently Employed
BARNHART, WILLIAM C	3/1/1983	1/26/2007
BARTEL, WALTER G	3/29/1971	12/31/2001
BEAM, MIKE	11/8/1994	Currently Employed
BECERRA, RICHARD	3/1/1995	1/1/2005
BEESON, MARK R	6/11/1979	Currently Employed
BELLAMY, GIL W	7/1/1969	11/30/1998
BENNETT, ROBERT M	8/1/1973	8/31/2001

BENNETT, ROBERT M	8/1/1973	8/31/2001
BOTHMAN, ROBERT	06/11/51	02/03/92
BOWYER, GEOFFREY L	Currently Employed	Currently Employed
BRAIBISH, THOMAS E	5/12/2003	Currently Employed
BREDING, ROGER W	1/3/1989	1/31/1997
BREEDLOVE, EILEEN P	1/31/1991	Currently Employed
BUFFINGTON, MARK W	5/1/1984	Currently Employed
BURTON, STEVEN B	1/3/1984	Currently Employed

CABE, DEWAYNE A	5/18/1964	5/31/1994
CARLSON, DENNIS S	5/1/1964	12/31/2002
CEASE, JANE	4/21/2004	Currently Employed
CHANDRA, NAVEEN G	8/20/2001	Currently Employed
CHISHOLM, WILLIAM F	6/28/1966	5/31/1992
CIZ, WILLIAM P	1/1/1987	2/29/2004
CLARK, TAMIRA J	6/22/1992	Currently Employed
COBINE, WAYNE F	6/10/1963	3/31/1997
COFFEEN, PATRICK ROCH	3/28/2003	Currently Employed
COLLINS, JANIS A	10/26/1987	7/2/1999
CONRATT, SAMUEL A	11/26/1963	6/30/1994
CORGAN, DANIEL R	5/20/1985	Currently Employed
COSTALES, TROY EDWARD	7/1/1991	Currently Employed
COXEN, STEVE A	9/4/2007	Currently Employed
CREGER, WILLIAM F	9/1/1999	10/31/2000
CROCKETT, BECKY		Currently Employed

DAGNESE, SUSANNE L	6/11/1986	Currently Employed
DEANE, KATHERINE	5/4/1998	6/12/2006
DEATHERAGE, DALE	3/5/1979	Currently Employed
DEPALMA, PAUL A	6/15/2004	Currently Employed
DON, DAVID THOMAS	4/12/1965	2/28/1998
DORAN, ROBERT P	6/20/1972	Currently Employed
DOWSE, CHARLES R	6/4/1961	12/31/1994
DUVAL, CURTIS H	6/20/1994	5/15/1996
EBELING, ROBERT W	2/2/1982	Currently Employed
EBERLE, FRED	7/1/1991	12/31/1900

EDMUNSON, WILLIAM E	6/1/1979	Currently Employed
EDWARDS, DENNIS L	7/1/1971	1/28/1999
EGNEW, PHILIP	4/25/2004	Currently Employed
FAILMEZGER, RONALD W	6/10/1958	6/30/1993
FANNING, FLOYD W	3/17/1975	Currently Employed
FANTZ, DONALD E	3/23/1964	4/1/2000
FENSKE, RICHARD	1/14/1982	Currently Employed
FISHER, MICHAEL G	9/10/1999	4/9/2000
FLANAGAN, DAVID R	8/22/1963	7/1/1996
FOCHT, PHYLLIS K	9/1/1964	1/31/2001
FORD, ERIC	11/1/1991	Currently Employed
FRASER, RANDOLPH M	4/16/1984	8/1/2005
FREITAG, MATTHEW	7/27/1998	Currently Employed
GAGNIER, PHILLIP	4/20/1982	5/31/2000
GARDNER, MICHAEL J	9/9/2004	7/25/2005
GARRETT, MATTHEW L	1/7/1997	Currently Employed

GIBSON, L DAN	4/23/1973	8/18/2003
GIFFORD, GREG KENT	8/7/2002	11/4/2005
GOETTSCH, ARDEAN R	7/1/1972	2/28/1999
GORDON, CHAD A	6/14/1998	Currently Employed
GRABHORN, BRUCE ALTON	3/1/1977	5/31/1995
GROSS, MARC W	7/1/1994	Currently Employed
GUNDERSON, LEONAL H	6/9/1971	5/16/2000
HAILEY, PAUL E	10/13/1966	6/1/1998
HARCHENKO, MICHAEL	4/20/1977	4/30/1999
HARRINGTON, FLOYD	2/1/1997	Currently Employed
HARRY, STEVEN M	1/25/1999	Currently Employed
HART, LAWRENCE D	7/29/1960	12/31/1997
HEARD, ROBERT J	5/1/1996	8/31/1996
HILL, MERLE E	6/1/1974	Currently Employed

HOLLEY, DOUGLAS E	8/1/1987	Currently Employed
HORTON, GAYLE S	6/1/1996	8/29/2003
HUFF, LEO M	6/1/1974	1/9/2007

HUMPHREY, CHARLES KC	9/17/1979	Currently Employed
HUNAIDI, SAM H	2/23/1993	Currently Employed
HUNTER, JAMES S	5/30/1972	8/31/2000
INLOES, RANDOLPH L	6/3/1971	3/6/2008
JOERGER, ROBERT A	6/5/1972	3/31/2002
JUDEN, JEFFREY S	5/1/1984	Currently Employed
JUVE, GENE L	2/1/1995	9/21/1997
KAISER, GEOFFREY W	4/9/1975	6/23/2003
KELLER, KARLA K	6/17/1985	Currently Employed
KENNEN, GARY G	6/21/1954	6/7/1996
KIM, DAVID SUNG	3/13/1995	Currently Employed
KIMPEL, TERRY LEE	4/1/1973	7/31/2000
KLEIN, CLAYTON JR	1/1/1985	1/17/2002
KOHANES, KELVIN E	8/1/1987	Currently Employed
KROOP, RONALD	12/8/1997	Currently Employed
KRUEGER, KARL	1/18/1971	4/15/2004
KUIPER, CLAIR L	6/23/1965	6/30/1996

LASLEY, HAROLD	7/12/2004	Currently Employed
LAUER, THOMAS J	5/1/1987	Currently Employed

LAMB, CHARLES D	2/4/1975	6/30/1996
LARSEN, GARY J	7/24/1961	10/31/1996

LASLEY, HAROLD	7/12/2004	Currently Employed
LAUER, THOMAS J	5/1/1987	Currently Employed
LINSON, LEANN M	9/10/2003	Currently Employed
LOSS, JOHN J	9/21/1977	11/12/1998
LOUIE, ARTHUR N	6/19/1973	6/29/1995

MCARTHUR, ROBIN	2/4/1991	5/13/2005

MACHAN, GEORGE	6/19/1984	10/16/1996
MANSELLE, DUANE LEROY	9/1/1965	2/28/1998
MANTHE, DEBORAH L	8/12/1985	8/31/2007
MANTHE, RAYMOND D	1/26/1973	5/1/2000
MARGES, EDWARD D	11/7/1968	7/31/1997
MARKWELL, CHARLES W	10/1/1980	Currently Employed
MARSH, DIANNE C	7/1/1991	Currently Employed
MASON, PATRICK R	12/3/1976	1/31/1996

MCCARROLL, JOEL R	9/30/1991	Currently Employed
MCCLURE, JAMES D	6/7/1950	5/15/1996
MCKINNEY, WILLIAM C	7/1/1987	8/19/2004
MCNAMEE, JAMES K	4/14/1983	Currently Employed
MCNEEL, DAVID CHARLES	7/1/2007	Currently Employed
MERSHON, EARL C	3/1/1971	8/29/2003
MILLER, EDWARD J	9/1/1980	Currently Employed
MILLER, THEODORE C JR	6/5/1995	Currently Employed
MILLER, WILLIAM C	5/2/1978	Currently Employed
MILLICAN, DAVID J	8/9/1971	5/31/2005
MINTON, ROGER A	8/14/1982	9/30/1994
MIZEJEWSKI, MAX	7/13/1998	8/31/2007
MOOMAW, DAVID P	11/10/1975	1/31/1992
MOORE, AULT LEE JR	1/17/1969	8/31/1991
MOORE, CAROL E	11/5/1973	6/10/1996
MOORE, LUCINDA	03/28/88	Currently Employed

MORGENSEN, JAY	1/3/1979	6/30/1994
MORROW, DIGBY E	9/21/1976	Currently Employed
MOTT, RAYMOND C	3/11/2002	8/31/2004
MUMA, STEVEN L	6/11/1979	Currently Employed
NEALY, LINDA L	4/5/1971	7/31/2001
NELSON, RICHARD H JR	5/1/1963	6/30/1994
NEWBY, BRIAN W	12/18/1974	4/29/2005
OLSON, LARRY	6/16/1980	Currently Employed
OSBORN, JOHN EDWARD	7/1/2000	Unknown
OTTOSEN, SHANE	6/16/1986	Currently Employed

PFEIFFER, AMY L	7/2/1990	Currently Employed
PLANK, JOAN A	7/31/1975	Currently Employed
REITMAJER, ROBERT T	2/18/2003	Unknown
RICHARDSON, GERALD R	5/7/1956	4/30/1992
RICHARDSON, JARARD	12/23/1997	10/31/2000
ROCKER, VICKIE L	10/6/1994	10/11/1996
ROMERO, ROCHELLE D	5/15/2004	Currently Employed

ROSE, DARLENE KAY	6/12/1995	Currently Employed
ROSS, DUSTIN	8/20/2001	Currently Employed
ROSS, JOHNNY A	2/21/1989	6/30/2005
ROSS, JUNE H	8/4/1982	Currently Employed
SADLER, DAVID P	6/16/1980	3/31/2002
SAGE, LEROY N	6/7/1982	6/1/1998
SAHLI, MOHAMAD	7/1/1993	9/30/2003
SAKR, CLAUDE T	8/1/1984	10/12/1999
SAMPSON, JAMES L	6/18/1971	6/14/2002
SANTA ANA, RICHARD	1/1/1997	4/21/2006
SAPP, MICHAEL E	10/24/1984	Currently Employed
SCHAMP, DAVID L	8/26/2002	6/20/2003
SCHWAB, LOUIS B	6/8/1971	12/31/2001

SCHWAB, THOMAS H	9/1/1964	9/15/1992
SCISCIONE, CHARLES P	3/24/1980	6/29/2007
SHIREY, PAUL F	10/29/2001	4/17/2002
SLADKY, TERRY E	6/1/1971	3/31/2006
SMITH, DAVID S	11/15/1993	Currently Employed
SMITH, DONALD R	11/9/1987	Currently Employed
SMITH, ELAINE C	3/16/1978	Currently Employed
SMITH, WAYNE	4/17/1995	Currently Employed
SNYDER, ANN E	6/6/2002	Currently Employed
SORENSEN, KENNETH E	6/1/1999	Currently Employed
SORK, ROBERT F	11/5/1980	Currently Employed
SPENCE, THEODORE A	8/11/1969	12/15/1998
STARK, WILLIAM J	8/21/1963	12/31/1993
STATLER, WAYNE A	10/14/2002	Currently Employed
STEELE, JAMES R	5/1/1963	6/30/1994
STOVER, RAYMOND M	12/3/1979	4/30/2008
STRATIS, ANTONIOS	6/24/1985	Currently Employed

TANDY, BRIAN P	4/27/1998	8/6/2004
TAYLOR, DAVID N	5/1/1979	9/30/1991
TELL, JASON A	2/12/1996	Currently Employed
THEIL, KEVIN	6/14/1982	Unknown

THOMAS, MARK C	8/12/1974	11/4/2003
TINDALL, DOUG	06/05/78	6/2010
TOBIE, KATY A	8/13/1983	1/2/1998
UDEY, RAYMOND A	11/15/1980	12/20/2004
UPTON, DOROTHY J	7/23/1984	Currently Employed

UPWARD, CHARLES L	5/2/1963	6/30/1993
URBIGKEIT, ELDON O	5/1/1976	1/31/1993
VAN SICKEL, ALICE K	1/20/1998	7/31/2003
VANVICKLE, ROBERT A	10/1/1985	4/23/1999
WAGNER, DONALD R	6/11/1973	10/24/1997
WALKER, BOBBY D	1/25/1993	Currently Employed
WALKER, BRIAN L	10/18/1984	Currently Employed
WARNER, BRUCE	3/1/2001	7/31/2005

WATANABE, RICHARD F	7/17/1984	Currently Employed
WEBER, CHARLES O	10/7/1980	3/31/1997
WERT, MICHAL A	6/5/1989	2/9/1996
WEST, MARJORIE J	6/13/1983	Currently Employed
WILLIAMS, DAVID G	7/6/1977	Currently Employed
WINDSHEIMER, RIAN	Currently	Currently Employed

WOODWARD, TOM H	6/11/1973	Currently Employed
ZARINS, NANCY	9/1/1983	7/25/1997

39. **For each type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling.**

The *ODOT Standard Specifications for Construction* and the *Supplemental Standard Specifications for Highway Construction* provide the standard specifications for disposal, treatment, or recycling of wastes associated with ODOT construction projects.

The construction special provisions, which are provided in the documents titled, *Special Provisions for Highway Construction.* These documents provide information on ODOT's requirements for the disposal, treatment, or recycling of wastes associated with specific construction projects in the Investigation Area.

The HazMat files have information on the disposal, treatment, or recycling of any waste products that require special handling and are associated with some construction projects that generated waste requiring special management. The coversheet that accompanies each file notes whether this information is present in the file.

See response to Question 21a-d for information on wastes disposed of by construction contractors.

Wastes resulting from accidental spills and depositions or migrating from adjacent property and street sweepings are handled in the manner outlined in ODOT's *Routine Road Maintenance Water Quality and Habitat Guide Best Management Practices* (2004), the *ODOT Maintenance Yard Environmental Management System (EMS) Policy and Procedures Manual* (2004), *ODOT Emergency/Urgency Maintenance Best Management Practices,* and the *ODOT Maintenance Guide* (2004). Waste management guidelines followed prior to the current guidelines are provided in the *ODOT Maintenance Manual* (1983) and (1964).

The *ODOT Emergency Response Guidebook* and *Employee Guide to Highway Incidents and Hazardous Material Response* provide current protocols for spills of hazardous substances to ODOT maintenance staff, project teams and contractors responding to highway incidents. Past protocols for spill response are provided in the 1988 *Oregon State Highway Department Emergency Operations Plan.* No formal guidance was published prior to these documents.

Please see the response to Question 21(e) for information on sparkless bark.

40. **Provide copies of such contracts and other documents reflecting such agreements or arrangements.**

a. **State where Respondent sent each type of its waste for disposal, treatment, or recycling.**

b. **Identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request).**

c. **If Respondent transported any of its wastes away from its operations, please so indicate.**

d. **For each type of waste specify which Waste Carrier picked it up.**

e. ***Indicate the ultimate disposal/recycling/treatment location for each type of waste.***

f. **Provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste.**

g. **State the basis for and provide any documents supporting the answer to the previous question.**

The manifests that provide information on waste disposal for waste removed from the St. Johns Bridge are provided electronically in the St. Johns Bridge file. For all other projects in the Investigation Area that have occurred during the past 20 years ODOT did not find files indicating disposal of hazardous wastes or other wastes requiring special management.

ODOT does not retain information on contracts or other documents that reflect transport and disposal of construction project waste as the contractor is responsible for transport and disposal of construction project waste.

41. **Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:**

a. **the nature and chemical composition of each type of waste;**

b. **the dates on which those wastes were disposed;**

c. **the approximate quantity of those wastes disposed by month and year;**

d. **the location to which these wastes drained (e.g. septic system or storage tank at the Property, pre- treatment plant, Publicly Owned Treatment Works (POTW), etc.); and**

e. **whether and what pretreatment was provided.**

No maintenance yards or ODOT-owned buildings are currently or have historically been located in the Investigation Area. Therefore, no sewage waste has been generated in a permanent structure.

Construction contractors may have had temporary toilet and shower facilities that are connected the City of Portland Bureau of Environmental Services (BES) sewer manholes. ODOT has no control over this waste stream and no records of how it is handled. Contractors may contract for waste disposal to pump out sewage and transport it to a disposal facility.

Construction projects generate waste water from concrete curing, washing structures, excavation, and dewatering activities. This is not sewerage, but it is often discharged to sewer manholes under a permit from BES so that it will be treated in the Portland sewer facility. The only construction project in the Investigation Area that was issued permits from BES was the St. Johns Bridge Rehabilitation Project. These permits are provided electronically in the St. Johns Bridge file.

Construction waste does not belong to ODOT; therefore, ODOT has no record of its transport or disposal.

42. **Identify any sewage authority or treatment works to which Respondent's waste was sent.**

Construction projects may discharge construction water to sewerage manholes. See response to Question 41.

43. **Describe sewage tanks, settling systems, pretreatment system sludges resulting from operations**

Construction contractors may store water from excavation in settling tanks or pass the water through a filtering system prior to discharge to BES sewers to remove sediment.

See response to Question 16 for information pertinent to the St. Johns Bridge Rehabilitation Project.

44. **If applicable, describe the facilities, processes and methods Respondent or Respondent's contractor used, and activities engaged in, either currently or in the past, related to ship building, retrofitting, maintenance or repair, including, but not limited to, dry-docking operations, tank cleaning, painting and re-powering.**

Not applicable.

45. **Describe any hazardous substances, wastes, or materials used or generated by the activities described in response to the previous Question and how these hazardous substances, materials and wastes were released or disposed of.**

Not applicable.

46. **Provide copies of any records you have in your possession, custody or control relative to the activities described in response to the previous two Questions.**

Not applicable.

47. **Describe any process or activity conducted on a Property identified in response to Question 4 involving the acquisition, manufacture, use, storage, handling, disposal or release or threatened release of polychlorinated biphenyl(s) ("PCB(s)" or PCB(s)-containing materials or liquids.**

PCBs associated with ODOT property are in utility transformers, which are not owned by ODOT. The utilities that own the transformers are identified in the Maintenance permits, which have been provided electronically. PCBs could potentially be released when a transformer blows. These incidents are not reported to ODOT and are the responsibility of the utility that owns the transformer.

PCBs were present in the lamp ballasts on the St. Johns Bridge. These lamps were replaced by non-PCB containing lamps and no incidents were reported for this work. Additional information, including a pollution control plan specific to PCB ballast removal and disposal receipts, is located in the St. Johns Bridge file.

48. **For each process or activity identified in response to the previous Question, describe the dates and duration of the activity or process and the quantity and type of PCB(s) or PCB(s) containing materials or liquids.**

The lamps that may have had PCBs were present on the St. Johns Bridge from the time of construction (St. Johns Bridge was completed in 1931) to when they were removed in 2005. The pollution control plan for the lamp removal and further details are located in the St. Johns Bridge file.

49. **For each process or activity identified in response to the previous two Questions, identify the location of the process or activity on the property.**

Please refer to the St. Johns Bridge file.

SECTION 5.0 REGULATORY INFORMATION

50. **Identify all federal, state and local authorities that regulated the owner or operator of each Property and/or that interacted with the owner or operator of each Property. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and environmental concerns.**

Authority/Agency	Types of Interaction	Contact
Federal Agencies		
Federal Highway Administration	Provides funding to ODOT projects, provides standards for highway construction.	The current contact is Michelle Eraut, Environmental Program Manager.
National Marine Fisheries Service	Issue permit to "take" species within their jurisdiction listed under the Endangered Species Act. Issue EFH certification under the Magnuson-Stevens Act.	The current contact is Devin Simmons, ODOT-NMFS Liaison.
U.S. Fish and Wildlife Service	Issue permit to "take" species within their jurisdiction listed under the Endangered Species Act. Coordination regarding compliance with the Migratory Bird Treaty Act.	The current contact is Doug Baus, ODOT-USFWS Liaison.
U.S. Army Corps of Engineers	Issue CWA Section 404 permits	The current contact is Dominic Yballe ODOT-Corps Liaison.
U.S. Environmental Protection Agency	Oversight authority of Oregon's implementation of the Clean Water Act and authority over cleanup of spills that require reporting to the National Response Center.	The current contact is Yvonne Vallette, Aquatic Ecologist and National Response Center.
Federal Railroad Administration	The ODOT Rail Division is one of the approximately 35 states that have entered into the Federal/State inspection partnership. The FRA has five technical "disciplines": track [physical track and roadway worker protection]; operating practices [hours of service/drug & alcohol, radio communications]; mechanical power and equipment [inspection of all types of cars and locomotives for defects]; signal [crossing protection and other signal devices]; hazardous materials [inspection of all types of equipment carrying hazardous	The current contact is David Brooks, Regional Administrator, Region 8.

	materials, chemical and nuclear plants for compliance, security directives].	
U.S. Department of Agriculture, Animal and Plant Health Inspection Service-Wildlife Services	Provide professional wildlife management assistance to reduce, minimize, eliminate migratory bird and other wildlife conflicts on state highway and bridge projects.	The current contact is Diane Winterboer, ODOT-APHIS Liaison.
U.S. Coast Guard	Authority over cleanup of spills that impact coastal/tidal waters and require reporting to the National Response Center.	The current contact is the National Response Center.
Occupational Safety and Health Administration	Delegates authority of occupational safety and health to Oregon Health Division, Occupational Safety and Health.	No specific contact person.
State Agencies		
Department of Consumer Services – Oregon OSHA	Over sight authority on worker safety for both ODOT employees and contractors.	No specific contact person.
Oregon Office of Emergency Management	Spills that require reporting under DEQ regulations are reported to the Oregon Emergency Response System, which is managed by the Office of Emergency Management.	No specific contact person.
Oregon Office of State Fire Marshal	Significant spills or potential spills may cause OERS to call out the State Fire Marshal's HazMat Teams. When these Teams are activated they work closely with ODOT personnel on Scene and the incident is recorded in the Fire Marshal's Spills database.	No specific contact person
Oregon Department of Fish and Wildlife	Provide in-water work extensions. Provide technical assistance in the fish passage compliance, waiver, and exemption processes. Participate with the design and implementation of Temporary Water Management plans and associated fish removal and recovery. Underwater Blasting Permits. Compliance with the State Endangered Species Act.	The current contact is Jim Brick, ODOT-ODFW Liaison.
Oregon Water	Issues permits for installation of	No specific contact.

Resources Department	monitoring wells, piezometers and other subsurface boreholes and instrumentation used to monitor subsurface conditions.	
Oregon Parks and Recreation Department	The Oregon Parks and Recreation Department used to be part of ODOT. When the two departments split some property formerly belonging to the combined department was transferred to the Parks and Recreation Department.	No specific contact.
Oregon Department of Environmental Quality	Issue 401 Certification, MS4 Permit, and Stormwater permits (1200 C). Also oversight for underground storage tank decommissioning, contaminated site cleanup, waste management, and air quality.	The current contact for water quality permits is Barbara Cisneros, ODOT-DEQ Liaison. The current contact for leaking USTs and site cleanup is Bob Schwarz, Project Manager. The current contact for waste management is Rich Grant, Hazardous Waste Technical Assistance.
Oregon Department of State Lands	Issue Removal/Fill permits, aquatic easements and leases.	The current contact is Nicole Navas, Resource Coordinator, ODOT Liaison for Regions 1, 4, 5.
Dept. of Geology and Mineral Interests	Regulates state mining and aggregate extraction. ODOT interacts on natural hazard assessment. Responsible for scientific framework of the state.	The current contact is Dr. Vicki McConnell, State Geologist.
Oregon Department of Land, Conservation and Development	Oversees Oregon's land use regulation laws.	The current contact Bob Cortright, Transportation and Growth Management Coordinator.
Oregon Department of	Regulates the use of herbicides and other pesticides and issues	No specific contact.

Agriculture	application licenses.	
Oregon State Historic Preservation Office	Issue archaeological excavation permits and issues concurrence on ODOT projects.	The current contact is Susan Lynn White, Assistant State Archaeologist.
Local Agencies		
Multnomah County	Issues land use permits and land compatibility statements.	No specific contact.
City of Portland, Bureau of Environmental Services	Issues discharge permits for waste water discharge to Portland's combined sanitary and storm sewer system. Issues building and development permits.	No specific contact.

ODOT's interaction with these agencies is ongoing and intermittant.

51. **Describe all occurrences associated with violations, citations, deficiencies, and/or accidents concerning each Property during the period being investigated. Provide copies of all documents associated with each occurrence described. [Note: this question is not limited to environmental or waste occurrences.]**

Spills reported by ODOT, ODOT contractors, tenants or agents to another state agency are noted on the coversheet that accompanies the HazMat files and are provided in the HazMat files, if available.

The results of the search for spills in the Investigation Area in the Motor Carrier, Fire Marshall, and ODOT Spills database (referred to as HazMat in the table below) are provided in the table below. All spills listed in the table are third party spills that have occurred on ODOT highways. The spills that occurred as a result of the St. Johns Bridge Rehabilitation Project are not provided in the table because they occurred as a result of a construction project and not a highway spill. The St. Johns spills are discussed below the table.

Date	Location Description	Mile point	Amount Spilled (C) Cargo (O) Operating Fluid	Contaminant	Database	OERS/ DEQ ID number	Responsible Party
10/21/87	I-405@1st Street		5 gallons	Calcium Hypochlorite Solution	/Fire Marshall Spills	870124	3rd Party
12/23/1987	St. Helens Road	Unknown	3000 gallons	Gasoline	Fire Marshal	870181	3rd Party

Date	Location Description	Mile point	Amount Spilled (C) Cargo (O) Operating Fluid	Contaminant	Database	OERS/ DEQ ID number	Responsible Party
3/2/89	NW Nicolai and I-405		0 gallons	Sodium Chlorate	/Fire Marshall Spills	890085	3rd Party
10/6/1989	NW 57th Ave & NW St. Helens Rd (Hwy 30)		Unknown	Diesel	Fire Marshal	890387	3rd Party
8/17/1990	N Burgard St. & N Columbia Blvd		100 gallons	Diesel	Fire marshal	9002778	3rd Party
1/28/1991	NW 57th Ave & NW St. Helens Rd (Hwy 30)		Small amount	Grain Slurry Feed Product – non-hazardous	Fire Marshal	910026	3rd Party
4/9/1991	3641 NW St. Helens Road		2 gallons	Pigment (blue dye)	Fire Marshal	910118	3rd Party
7/20/1992	30th & NE Lombard St		Unknown	Diesel	Fire Marshal	920222	3rd Party
9/21/1993	I-405 NB Fremont Bridge	5 miles: Murray & US26 to I-405 Fremont	Unknown	Diesel	Fire Marshal	930398	3rd Party
11/26/1993	NW St. Helens Road, under St. Johns Bridge		Unknown	Calcium Carbonate	Fire Marshal	930544	3rd Party
1/25/1994	West Lombard Off ramp from I-5 NB		500 gallons	Vegetable oil	Fire Marshal	940016	3rd Party
9/5/1995	11920 W Burgard St		40 gallons	Beta-pinene	Fire Marshal	950527	3rd Party
7/19/1996	St. Louis & N Lombard St		100 gallons	Diesel	Fire Marshal	960427	3rd Party
6/26/1998	NW Industrial Street & NW St. Helens Rd		50 gallons	Diesel	Fire Marshal	980327	3rd Party
6/14/99	SB I-5@Fremont Br.		50 gallons	Asphalt Liquid	Fire Marshall Spills	990313/	3rd Party
12/7/2000	5400 N. Basin			Sodium Hydroxide	/Motor Carrier Database	OR0002 61576A	3rd Party
12/13/2000	Midspan Fremont Br.			Gasoline	/Motor Carrier Database	OR0002 61669	3rd Party

Date	Location Description	Mile point	Amount Spilled (C) Cargo (O) Operating Fluid	Contaminant	Database	OERS/ DEQ ID number	Responsible Party
1/14/2001	US 30 (Highway 2W) @ M.P. 8.15 (Linnton)	8.15	None	None	HazMat		3rd Party
2/19/2001	NW Yeon@I-405 Ramp		70 gallons	Diesel Fuel	Fire Marshall Spills	010111 & 010062/	3rd Party
2/19/2001	US 30 (Highway 2W) @ M.P. 3.93	3.93	750 gallons	Emulsified Diesel Fuel	HazMat		3rd Party
5/3/2001	ORE 99W (Highway 2W) @ M.P. 7.81	7.81	5 gallons (O)	Gasoline Fuel	HazMat		3rd Party
5/26/2001	NW Nicolai St & NW St. Helens Road		30-40 gallons	Diesel	Fire Marshal	010147	3rd Party
5/26/2001	US 30 (Highway 2W) @ M.P. 1.97	1.97	50 gallons (O)	Diesel Fuel	HazMat		3rd Party
6/4/2001	I-405 @ M.P. 1.04 (6th Avenue)	1.04	None	Abandoned Containers	HazMat		3rd Party
6/9/2001	I-405 (Highway 61) @ M.P. 2.92	2.92	2 gallons	Acid	HazMat		3rd Party
7/23/2001	US 30 (Highway 2W) @ M.P.		1 gallon	Drug Lab Waste	HazMat		3rd Party
8/9/2001	I-405 (S.B.) (Highway 61) @ M.P. 3.32	3.32	5 gallons	Hydrochloric Acid	HazMat		3rd Party
4/8/2002	US 30 (Highway 2W) @ M.P. 6.93 (St. John's Bridge)	6.93	(C)	Anhydrous Ammonia	HazMat		3rd Party
9/6/2002	Hwy. 30 @ St Johns Bridge	6.93	30-40 gallons (C)	Storm Water	HazMat	NA	3rd Party
12/13/2002	Hwy 30 @ Rock Crest Road		3500 gallons (O)	Gasoline	HazMat	2002-3007	3rd Party
2/10/2003	Fremont Bridge @ 15th and		Propane Cylinder	Unknown	HazMat	None	3rd Party

Date	Location Description	Mile point	Amount Spilled (C) Cargo (O) Operating Fluid	Contaminant	Database	OERS/ DEQ ID number	Responsible Party
	Lovejoy						
7/19/2003	Lower Columbia River Hwy 2W MP 2	2.00	300 gallons (C)	Liquid Fertilizer	HazMat	2003-1597	3rd Party
7/28/2003	NW23rd & NW Nicolai		330 gallons	High sulfur liquid fertilizer	Fire Marshal	030100	3rd Party
8/26/2003	Lower Columbia River Hwy 2W MP 3 (Hwy 30 and Kitridge)	3.00	Oil on Roadway Unknown Quantity, Reported by City Portland, No ODOT record of Spill	Oils	HazMat	NA	3rd Party
4/16/2004	Hwy 30 and Kitridge		10 gallons (O)	Hydraulic Oil	HazMat	N/A	3rd Party
6/17/2004	Lower Columbia River Hwy 2W MP 3 Yeon and NW 29th	3.00	75 gallons (C)	Sulfuric Acid	HazMat	2004-1312	3rd Party
7/28/2004	Hwy 61 (I-405) SB @ MP 2.35	2.35	35 gallons	Diesel	HazMat	N/A	3rd Party
9/22/2004	Hwy 2W @ Walnut Street		200 gallons (O)	Gasoline	HazMat	2004-2414	3rd Party
9/30/2004	Lower Columbia River Hwy 2W MP 4 @ Bennett	4.00	4 gallons (O)	Motor Oil	HazMat	NA	3rd Party
12/15/2004	Hwy 30 (Hwy 2W) @ (MP 7.59) Harbor Drive	7.59	50 gallons (O)	Gasoline	HazMat		3rd Party
10/11/2005	US 30 @ west side Saint John's Bridge	6.9	30 gallons (O)	Diesel	HazMat		3rd Party
12/20/2005	Hwy 30	6.9	40 gallons (O)	Diesel + Trans Fluid	HazMat		3rd Party
3/27/2008	I-405	4	40 gallons (O)	Diesel (O)	HazMat		3rd Party
6/9/2009	NB I-405 at 6th Ave	1	70 gallons (O)	Diesel	HazMat		3rd Party
3/18/2010	I-5 NB Exit	303	~30 gal (O)	Diesel			

Date	Location Description	Mile point	Amount Spilled (C) Cargo (O) Operating Fluid	Contaminant	Database	OERS/ DEQ ID number	Responsible Party
	303 shoulder				HazMat		3rd Party
4/9/2010	US-30 Fremont Bridge at I-405 SB/NB split (gore point)	Fremont Bridge	<5gal (O)	Oil	HazMat		3rd Party

None of the above spills resulted in a citation to ODOT.

BES reported a grit release from the containment process on the St. Johns Bridge to DEQ on 9/16/04. The containment was fixed and DEQ toured the site on October 18, 2004 and they found no additional problems. The contractor agreed to start keeping a log of containment breaches and fixes as of the beginning of October 2004. This log is available upon request. A styrene and asphalt release from pipe lining activities occurred on 7/13/05. Further information is provided in the St. Johns Bridge file.

ODOT typically performs inspections of construction projects and minor violations (e.g., open containers, labeling) would be addressed at that time and a record is not retained by ODOT.

Regarding occurrences other than environmental and waste citations, ODOT contractors may have been cited for various wage and hour law citations, or miscellaneous OSHA violations. ODOT has found no record of any HazMat-related OSHA citations.

52. **Provide a list of all local, state and federal environmental permits ever issued to the owner or operator on each Property (e.g., RCRA permits, NPDES permits, etc.). Please provide a copy of each federal and state permit, and the applications for each permit, ever issued to the owner or operator on each Property.**

The environmental permits and applications that ODOT has on file are provided electronically in
\\portland_harbor\Data\EnvironmentalPermits_Reports.

For the St. Johns Bridge Rehabilitation Project, ODOT obtained the RCRA ID# (ORD987187978) and conducted the required DEQ reporting. This information is located in the St. Johns Bridge file. The Annual Hazardous Waste Reports for the

St. Johns Bridge Rehabilitation Project are provided electronically in the St. Johns Bridge file.

BES issued permits for process water and excavation water discharge to their sewer manholes.

53. **Did the owner or operator ever file a Hazardous Waste Activity Notification under the RCRA? If so, provide a copy of such notification.**

See response to Question 52.

54. **Did the owner or operator's facility on each Property ever have "interim status" under the RCRA? If so, and the facility does not currently have interim status; describe the circumstances under which the facility lost interim status.**

According to correspondence that ODOT has had with EPA, this question applies only to Treatment, Storage, or Disposal facilities (TSDs). ODOT has never acted as a hazardous waste disposal facility or applied for registration as a TSD; therefore, this question does not apply to ODOT.

55. **Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.**

See response to Question 52.

56. **Identify all federal offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.**

ODOT likely did not send notification to federal offices because DEQ and/or OSHA have delegated authority. However, verbal reports of third party spills impacting water bodies were probably provided to the National Response Center by ODOT. ODOT does not have a record of oral reports. Federal offices to which ODOT has sent or filed hazardous substance or waste information, if any, are identified in the HazMat files and are noted on the coversheet that accompanies each file.

57. **Identify all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.**

Hazardous waste generation above conditionally exempt generator (CEG) amounts would be reported to DEQ. The only hazardous waste generated was

from the St. Johns Bridge Rehabilitation Project and all reports were submitted to DEQ.

ODOT did not operate a fixed facility within the Investigation Area. No annual hazardous substance report has been filed and submitted to the Fire Marshall because ODOT has no fixed facilities in the IA.

58. **List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq., Oregon Hazardous Substance Remedial Action Law, ORS 465.315, Oregon Water Quality law, ORS Chapter 468(b), Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465 and 466, or Oregon Solid Waste law, ORS Chapter 459. Provide copies of each report made, or if only oral reporting was required, identify the federal and state offices to which such report was made.**

Federal Laws and Regulations	
Law/Regulation	Citation
Clean Water Act (the Water Pollution Prevention and Control Act	33 U.S.C. Sections 1251 et seq.,
Clean Air Act	42 U.S.C. Sections 7401 et seq.
Comprehensive Environmental Response, Compensation, and Liability	42 U.S.C. Sections 9601 et seq.
Emergency Planning and Community Right-to-Know Act	42 U.S.C. Sections 1100 et seq.
Endangered Species Act	PL 930205, 16 USC Sections 1531 et seq.; 50 CFR § 17.9
Federal Insecticide, Fungicide, and Rodenticide Act	7 U.S.C. Sections 136 et seq.
Magnuson-Stevens Act	16 U.S.C. Sections 1801 et seq.; 50 CFR Part 600
Migratory Bird Treaty Act	16 U.S.C. Sections 703 et seq.
National Environmental Policy Act	42 U.S.C. Sections 4321 et seq.
Oil Pollution Act of 1990	33 U.S.C. Sections 2701 et seq.
Resource Conservation and Recovery Act	42 U.S.C. Sections 6901 et seq.
Rivers and Harbors Appropriation Act	33 U.S.C. Sections 401 et seq.
Superfund Amendments and Reauthorization Act of 1986 (SARA)	P.L. 99-499 (42 UCS Sections 9601 et seq.)
Toxic Substances Control Act	15 U.S.C. Sections 2601 et seq.

State Laws and Regulations	
Law/Regulation	Citation

Oregon Endangered Species Act	ORS 496.171 to 496.192 and 498.02
Oregon Hazardous Substance Remedial Action Law	ORS 465.315
Oregon Hazardous Waste and Hazardous Materials law	ORS Chapters 465 and 466
Oregon Solid Waste law	ORS Chapter 459
Oregon Water Quality law	ORS Chapter 468B
Plant Inspection, Quarantine, Pest and Weed Control	ORS Chapter 570
Sustainability Act	ORS 184.421 to 184.435
State Pesticide Control Act	ORS 634
Vector and Weed Control	ORS Chapter 452
UIC installation and decommissioning reporting – no known UICs have been installed or decommissioning within the IA.	OAR Chapter 340, Division 044
NPDES permits	OAR Chapter 340, Division 45
Hazardous Waste generation, management and reporting	OAR Chapter 340, Division 102
Hazardous Substance Remedial Action – reporting cleanups under DEQ's voluntary cleanup program and the leaking underground storage tank program. Information on any such cleanups is included in the HazMat files.	OAR Chapter 340, Division 122
Spill reporting – all reportable spills on ODOT's rights of way are reported to DEQ via the Oregon Emergency Responses System (OERS). See Question 51 for a list of reported spills within the investigations area.	OAR Chapter 340, Division 142
Underground Storage Tank Rules – Reporting underground storage tank decommissioning. Information on any such tank decommissioning is included in the HazMat files, provided electronically.	OAR Chapter 340, Division 150
Residential Heating Oil Tank Program – Reporting decommissioning of residential heating oil tanks. Information on any such tank decommissioning is included in the HazMat files, provided electronically.	OAR Chapter 340, Division 177
Asbestos notifications and reporting – projects requiring asbestos abatement are noted in the HazMat files.	OAR Chapter 340, Division 248

All reports that ODOT could find on file are provided electronically in the following folders:
\\portland_harbor\Data\EnvironmentalPermits_Reports
\\portland_harbor\Data\Geology
\\portland_harbor\Data\Hydraulics
\\portland_harbor\Data\Hazmat

59. **Provide a copy of any registrations, notifications, inspections or reports required by the Toxic Substances Control Act, 15 USC § 2601 et seq., or state law, to be maintained or submitted to any government agency, including fire marshal(s), relating to PCB(s) or PCB(s) containing materials or liquids on any Property identified in response to Question 4.**

PCBs were removed from the St. Johns Bridge when the lamp ballasts were removed. The TSCA reports and associated documents are located in the HazMat file for the St. Johns Bridge Rehabilitation Project. ODOT did not find any other files that contained TSCA reports. See response to Question 47.

60. **Has Respondent or Respondent's contractors, lessees, tenants, or agents ever contacted, provided notice to, or made a report to the Oregon Department of State Lands ("DSL") or any other state agency concerning an incident, accident, spill, release, or other event involving Respondent's leased state aquatic lands? If so, describe each incident, accident, spill, release, or other event and provide copies of all communications between Respondent or its agents and DSL or the other state agency and all documents that were exchanged between Respondent, its agents and DSL or other state agency.**

ODOT does not contact DSL when a spill occurs. ODOT contacts the Oregon Emergency Response Service (OERS) who provides notification to other state agencies and typically to DEQ.

61. **Describe all notice or reporting requirements to DSL that you had under an aquatic lands lease or state law or regulation regarding incidents affecting, or activities or operations occurring on leased aquatic lands. Include the nature of the matter required to be reported and the office or official to whom the notice or report went to. Provide copies of all such notices or reports.**

ODOT has no aquatic land leases within the Portland Harbor Investigation Area.

SECTION 6.0 RELEASES AND REMEDIATION

62. **Identify all leaks, spills, or releases into the environment of any waste, including petroleum, hazardous substances, pollutants, or contaminants, that**

have occurred at or from each Property, which includes any aquatic lands owned or leased by Respondent and state roads, state rights of way or easements, state bridges, or any other area with the Investigation Area where Respondent conducted operation or maintenance activities. In addition, identify and provide copies of documents regarding:

a. **when such releases occurred;**
b. **how the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated).**
c. **the amount of each hazardous substances, pollutants, or contaminants so released;**
d. **where such releases occurred;**
e. **any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release.**
f. **any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken;**
g. **all persons with information relating to these releases; and**
h. **list all local, state, or federal departments or agencies notified of the release, if applicable.**

See response to Questions 41 and 51.

63. **Was there ever a spill, leak, release or discharge of waste, including petroleum, or hazardous substances, pollutant or contaminant into any subsurface disposal system or floor drain inside or under a building on the Property? If the answer to the preceding question is anything but an unqualified "no", identify:**

a. **where the disposal system or floor drains were located;**
b. **when the disposal system or floor drains were installed;**
c. **whether the disposal system or floor drains were connected to pipes;**
d. **where such pipes were located and emptied;**
e. **when such pipes were installed;**
f. **how and when such pipes were replaced, or repaired; and**
g. **whether such pipes ever leaked or in any way released such waste or hazardous substances into the environment.**

ODOT does not have any buildings in the Investigation Area. See response to Questions 41 and 43.

64. **Has any contaminated soil ever been excavated or removed from the Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of documents regarding:**

a. **amount of soil excavated;**
b. **location of excavation presented on a map or aerial photograph:**
c. **manner and place of disposal and/or storage of excavated soil;**
d. **dates of soil excavation;**
e. **identity of persons who excavated or removed the soil, if other than a contractor for Respondent;**
f. **reason for soil excavation;**
g. **whether the excavation or removed soil contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the soil contained, and why the soil contained such constituents;**
h. **all analyses or tests and results of analyses of the soil that was removed from the Property;**
i. **all analyses or tests and results of analyses of the excavated area after the soil was removed from the Property and**
j. **all persons, including contractors, with information about (a) through (i) of this request.**

If contaminated soil has been excavated or removed from ODOT property, then information regarding the excavation/removal is in the HazMat files and is noted on the cover sheet that accompanies each file.

Petroleum contaminated soil was excavated from under the east end of the St. Johns Bridge to install the stormwater treatment system. See the Pollution Control Plan for further information.

65. **Have you ever tested the groundwater under your Property? If so, please provide copies of all data, analysis, and reports generated from such testing.**

If groundwater has been tested under ODOT property, then information regarding the groundwater testing is in the HazMat files and is noted on the cover sheet that accompanies each file.

ODOT tested groundwater as part of the Level 2 investigation conducted for the St. Johns Bridge Rehabilitation Project.

66. **Have you treated, pumped, or taken any kind of response action on groundwater under your Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of documents regarding:**

a. **reason for groundwater action;**

b. **whether the groundwater contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the groundwater contained, and why the groundwater contained such constituents;**

c. **all analyses or tests and results of analyses of the groundwater;**

d. **if the groundwater action has been completed, describe the basis for ending the groundwater action; and**

e. **all persons, including contractors, with information about (a) through (c) of this request.**

ODOT does not have a record of any response action for groundwater in the Investigation Area.

Construction contractors may pump groundwater to keep an excavation dry during subsurface work. If groundwater was pumped to facilitate construction, then it will be noted in the *Special Provisions for Highway Construction* for the particular project.

For the St. Johns Bridge Rehabilitation Project, groundwater was pumped into settling tanks prior to release to the BES sewer manholes, during the excavation under the east end of the bridge to accommodate the new stormwater treatment system. See the Pollution Control Plan for more information.

67. **Was there ever a spill, leak, release or discharge of a hazardous substance, waste, or material into the Willamette River from any equipment, structure, or activity occurring on, over, or adjacent to the river? If the answer to the preceding question is anything but an unqualified "no", identify and provide copies of documents regarding:**

a. **the nature of the hazardous substance, waste, or material spilled, leaked, released or discharged;**

b. **the dates of each such occurrence;**

c. **the amount and location of such release;**

d. **were sheens on the river created by the release;**

e. **was there ever a need to remove or dredge any solid waste, bulk product, or other material from the river as a result of the release? If so, please provide information and description of when such removal/dredging occurred, why, and where the removed/dredged materials were disposed.**

See response to Question 51 regarding the styrene and asphalt releases that occurred as a result of the St. Johns Bridge Rehabilitation Project.

68. **For any releases or threatened releases of PCB(s), identify the date, quantity, location and type of PCB(s) or PCB(s) containing materials or liquids, and the nature of any response to or cleanup of the release.**

See response to Question 47.

69. **For any releases or threatened releases of PCB(s) and/or PCB(s) containing materials or liquids, identify the quantity and type of waste generated as a result of the release or threatened release, the disposition of the waste, provide any reports or records relating to the release or threatened release, the response or cleanup and any records relating to any enforcement proceeding relating to the release or threatened release.**

See response to Question 47.

SECTION 7.0 PROPERTY INVESTIGATIONS

70. **Provide information and documentation concerning all inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Property concerning insurance issues or insurance coverage matters.**

ODOT has not had an insurance claim related to properties in the Portland Harbor area. No insurance company has conducted inspections, evaluations, or safety audits at any ODOT properties in the Portland Harbor area. ODOT has never carried insurance on properties in the Portland Harbor area. The state of Oregon is self insured. The Department of Administrative Services (DAS) Risk Management Division handles liability and property damage claims. DAS has not performed any property inspections, evaluations, or safety audits.

71. **Describe the purpose for, the date of initiation and completion, and the results of any investigations of soil, water (ground or surface), sediment, geology, and hydrology or air quality on or about each Property. Provide copies of all data, reports, and other documents that were generated by you or a consultant, or a federal or state regulatory agency related to the investigations that are described.**

Information on soil, groundwater, sediment, and geology investigations are in the HazMat and geologic files, if available. If this information is in a HazMat or geologic file, then it is noted as such on the coversheet that accompanies the file.

Geologic information for the St. Johns Bridge Rehabilitation Project is included in the Preliminary Site Investigation.

See response to Question 15 for stormwater sampling.

Property drainage studies, hydrologic studies, air studies, and Stormwater Management Plans would have been conducted and developed in relation to construction projects. The studies and plans that ODOT has on file are provided electronically.

72. **Describe any remediation or response actions you or your agents or consultants have ever taken on each Property either voluntarily or as required by any state or federal agency. If not otherwise already provided under this Information Request, provide copies of all investigations, risk assessments or risk evaluations, feasibility studies, alternatives analysis, implementation plans, decision documents, monitoring plans, maintenance plans, completion reports, or other document concerning remediation or response actions taken on each Property.**

If a remediation or response action has been conducted on ODOT property, then information regarding the remediation/response action is in the *HazMat Incident Data Sheet* in the HazMat file and is noted on the cover sheet that accompanies each file.

See response to Questions 64.

73. **Have you sampled stormwater coming from state roads, state rights of way or easements, state bridges, or any other area within the Investigation Area where Respondent has conducted operation or maintenance activities? If you have sampled stormwater, please provide copies of all sampling and analysis plans used, all data collected, and any analysis reports or other document that summarizes the results of such sampling.**

See response to Question 15.

74. **Have you sampled soil or stormwater after placing asphalt shingle material on state roads, state rights of way or easements, state bridges, or any other area within the Investigation Area where Respondent has conducted operation or maintenance activities? If yes, please provide copies of sampling and analysis plans used, all data collected, and any analysis reports or other document that summarizes the results of such sampling.**

ODOT has not sampled soil or stormwater after placing asphalt shingle material on state right of way within the Investigation Area. DEQ published a study on sparkless bark. This document is titled *Staff Report: Reuse of Roofing Waste as Landscape Mulch.* This document is provided electronically in:
\\portland_harbor\Data\SparklessBark

75. **Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, and hydrology or air quality on or about the Property? If so, identify:**

a. **what the nature and scope of these investigations will be;**
b. **the contractors or other persons that will undertake these investigations;**
c. **the purpose of the investigations;**
d. **the dates when such investigations will take place and be completed; and**
e. **where on the Property such investigations will take place.**

Two projects have been identified in the 2010-2012 Statewide Transportation Improvement Plan (STIP) to occur within the Investigation Area.

1. The US 30: Yeon Street Preservation Project (MP 1.97-3.92). This is primarily a preservation (paving) project; therefore, no plans to change the drainage system, major signage, or capacity are planned. Because of the lack of plans to make these changes, no investigations of soil, water, or air quality are needed. A Level 1 HazMat Review has been conducted (this document is provided electronically in \\portland_harbor\Data\Hazmat\YeonStrPreservation and a Level 2 HazMat Review may be needed (this document will be provided to EPA if it is completed).

2. The Region 1 Urban Area ITS Improvements Program will be installing a Variable Message Sign (VMS) on US 30 at I-405. This project will likely require a geotechnical exploration for the VMS pole foundation design and it is scheduled for 2009.

3) In addition to the above STIP project investigations ODOT is continuing with stormwater pollutant characterization investigations that have been conducted in the Harbor area. This investigation work is being completed to meet ODOT MS4 NPDES permit requirements and is currently scheduled through the 2010-2011 wet season. As part of the project, stormwater runoff from the ODOT Freemont Bridge structure (eastside) has been collected and analyzed for pollutant load. Work is being completed with assistance from the Arcadis and Herrera environmental consulting firms and a summary report on findings is expected July 2011.

SECTION 8.0 CORPORATE INFORMATION

76. **Provide the following information, when applicable, about you and/or your business(es) that are associated with each Property identified in response to Question 4:**

a. **state the current legal ownership structure (e.g., corporation, sole proprietorship);**

b. **state the names and current addresses of current and past owners of the business entity or, if a corporation, current and past officers and directors;**

c. **discuss all changes in the business' legal ownership structure, including any corporate successorship, since the inception of the business entity. For example, a business that starts as a sole proprietorship, but then incorporates after a few years, or a business that is subsequently acquired by and merged into a successor. Please include the dates and the names of all parties involved;**

d. **the names and addresses of all current or past business entities or subsidiaries in which you or your business has or had an interest that have had any operational or ownership connection with the Properties identified in response to Question 4. Briefly describe the business activities of each such identified business entities or subsidiaries; and**

e. **if your business formerly owned or operated a Property identified in response to Question 4, describe any arrangements made with successor owners or operators regarding liability for environmental contamination or property damage.**

ODOT is an agency of the State of Oregon, established pursuant to statute, ORS 184.615. The Oregon Transportation Commission (OTC) is the policy-making body for the Department of Transportation. The OTC is established by statute, ORS 184.612. The five members are appointed by the Governor. The Department's operating authority is set out in ORS chapter 184. ODOT's authority over highways is found primarily in ORS chapter 366.

77. **List all names under which your company or business has ever operated and has ever been incorporated. For each name, provide the following information:**

a. **whether the company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business;**

b. **names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and**

c. **names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of the Respondent.**

The state agency responsible for highway construction and maintenance used to be known as the Highway Department. In 1973 the Highway Department became the Oregon Department of Transportation, incorporating all modes of transportation.

78. **Provide all copies of the Respondent's authority to do business in Oregon. Include all authorizations, withdrawals, suspensions and reinstatements.**

ODOT operates pursuant to state statutes and administrative rules.

79. **If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:**

a. **a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent=s business operations at the Site;**
b. **the dates such relationship existed;**
c. **the percentage of ownership of Respondent that is held by such other entity(ies);**
d. **for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity=s officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity=s stock;**
e. **provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at each Property; and**
f. **provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.**

Not applicable as ODOT is not a business.

80. **If Respondent is a partnership, please describe the partnership and provide a history of the partnership's existence. Provide a list all current and past partners of any status (e.g., general, limited, etc.) and provide copies of all documents that created, govern, and otherwise rules the partnership, including any amendments or modifications to any of the originals of such documents, and at least five years of partnership meeting minutes.**

ODOT is a state agency and not a partnership; therefore, this question does not apply.

SECTION 9.0 COMPLIANCE WITH THIS REQUEST

81. **Describe all sources reviewed or consulted in responding to this request, including, but not limited to:**

a. the name and current job title of all individuals consulted;

b. the location where all sources reviewed are currently reside; and

c. the date consulted.

a.

Name	Title	Employer
Martin Abero	Region 1 Maintenance Operations Employee	ODOT
Tina Arevalo	Photogrammetric Survey Associate	ODOT
Tom Braibish	Region 1 Geo-Hydro Manager	ODOT
Frannie Brindle	Natural Resource Unit Manager	ODOT
Mark Buffington	Maintenance Assistant Supervisor – Landscape	ODOT
Patti Caswell	Wetlands Program Coordinator	ODOT
Sue Chase	Maintenance Environmental Program Manager	ODOT
Jon Cole	Region 1 Right of Way Agent 1	ODOT
Bruce Council	Region 1 Stormwater Design Engineer	ODOT
Geoff Crook	Environmental Program Manager	ODOT
William Fletcher	Water Resources Coordinator	ODOT
Timothy Fredette	Region 1 Hydraulics Design Engineer	ODOT
Matt Freitag	Region 1 Consultant Project Manager	ODOT
Wade Fergus	GIS Technician	ODOT
Joel Fry	Maintenance Field Operations Specialist	ODOT
Roger Galles	Senior Surveyor	ODOT
Hal Gard	Geo-Environmental Manager	ODOT
Melinda Griffith	Region 1 Maintenance District 2B Permit	ODOT

	Specialist	
Dan Gunther	Region 1 Stormwater Designer	ODOT
Brett Hulstrom	Permits	Portland Bureau of Environmental Services
Jeff Juden	Region 1 Maintenance District 2A Manager	ODOT
Karla Keller	Region 1 /Operations Manager	ODOT
Norma Kearney	Contract Services Lead Worker	ODOT
Will Lackey	Maintenance Vegetation Management Coordinator	ODOT
Matt Lenox	GIS Technician	ODOT
Susan Mead	GIS Coordinator	ODOT
Chi Mai	Region 1 Transportation Analyst - Traffic	ODOT
David Manus	Right of Way Agent	ODOT
Jeff Moore	Maintenance Clean Water Program Technician	ODOT
Karen Morrison	Maintenance Services Coordinator	ODOT
Tamara Patrick	Region 1 Right of Way Agent	ODOT
Tova Peltz	Region 1 Geotechnical Engineer	ODOT
Tracy Posey	HR Business Analyst	ODOT
Don Pyle	Assistant Attorney General	Oregon Department of Justice
Penny Repine	Risk Management Coordinator	ODOT
Charles Schwarz	Region 1 HazMat Coordinator	ODOT
Jennifer Sellers	Senior Environmental Policy Analyst	ODOT
Alvin Shoblom	Senior Hydraulics Engineers	ODOT
Pat Solomon	Archivist	ODOT
Mike Stone	Senior Property Agent	ODOT
Mary Turner	Archaeology Specialist	ODOT
Marge West	Region 1 Construction Engineer	ODOT
Vera Wicks	Construction Contracts Coordinator	ODOT

Laura Wilt	Librarian	ODOT
Joe Winkel	Forms and Records Analyst	ODOT
Cy Young	Land Manager	Oregon Department of State Lands

b. The ROW, As-built construction plans, some of the IGAs, Geo-Hydro, and HazMat files are stored in the ODOT Region 1 office, which is located at 123 NW Flanders Street, Portland, OR 97209 and ODOT Salem Headquarters; 355 Capitol Street NE, Salem, Oregon 97301.

The construction contracts are stored in ODOT Support Services office; ODOT Procurement Services, 455 Airport Rd SE, Building K, Salem, Oregon 97301.

Some of the IGAs are stored at ODOT Salem Headquarters; 355 Capitol Street NE, Salem, Oregon 97301

The Maintenance Permit files are stored at ODOT District 2B Office, 9200 SE Lawnfield Road, Clackamas, Oregon 97015

The following documents are located on the ODOT website: http://www.oregon.gov/ODOT/HWY/OOM/publications.shtml

- *Routine Road Maintenance Water Quality and Habitat Guide Best Management Practices* (2004)
- *Environmental Management System*
- *ODOT Maintenance Yard Environmental Management System (EMS) Policy and Procedures Manual*
- *ODOT Emergency Response Guidebook*
- ODOT *Employee Guide to Highway Incidents and Hazardous Material Response*
- *ODOT Geo-Environmental Stormwater Management Bulletin- GE-09-02(B)*
- *ODOT Routine Road Maintenance- Water Quality and Habitat Guide Best Management Practices-* ("Blue Book"- revised 2009)

ODOT's NPDES Stormwater website-: http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/storm_management_program.shtml

c. All documents were consulted from February 1 to December 10, 2010.

82. **If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees**

or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous substances, waste, or materials to or from, each Property identified in response to Question 4.

See response to Question 38.

83. **If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:**

   a. **the document retention policy between 1937 and the present;**
   b. **the approximate date of destruction;**
   c. **a description of the type of information that would have been contained in the documents;**
   d. **the name, job title and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for destroying the documents; and the person(s) who had and/or still have the originals or copies of these documents; and**
   e. **The names and most current addresses of any person(s) who may possess documents relevant to this inquiry.**

a-c. The following documents related to record retention are provided electronically in
\\portland_harbor\Data\Record_Retention

- Microfilm Filing System 1937-1972. This document provides the purging schedule for documents on microfilm.
- An excerpt from ODOT's 1949 record retention policy.
- Chapter 372 of Oregon Laws 1947
- Chapter 373 of Oregon Laws 1947
- Records Management Manual for Oregon State Agencies (1972)
- ODOT Policy, Subject: Vital Records dated Aug. 31, 1976
- ODOT Policy, Subject: Forms Control dated Dec. 15, 1976
- ODOT Policy, Subject: Records Management dated Jan. 27, 1978
- Directions for Finance and Accounting Record Retention dated Jan. 1979
- ODOT Policy, Subject: Records Management dated Dec. 1, 1980
- ODOT Administrative Instruction, Subject: Records Disposition dated April 18, 1980
- ODOT Policy, Subject: Records Management dated May 20, 1987
- State of Oregon Interoffice Memo, Subject: 1986 Records Destruction Report dated March 24, 1987

- Oregon State Archives Records Retention Schedule Edition: June 1993, Expires June 1998
- Oregon State Archives Records Retention Schedule Edition: Updated 1996
- Oregon State Archives Records Retention Schedule Edition: March 2006

d. The custodian of the record is responsible for retaining the document, applying the retention schedule, and destroying the record. ODOT does not keep a record of the various custodians.

e. A thorough search of ODOT's files and records has been conducted and all relevant documents are being provided to EPA.

84. **Provide a description of all records available to you that relate to all of the questions in this request, but which have not been included in your responses.**

All known records that relate to these questions that ODOT has on file have been provided.

ODOT has requested from BES copies of the permits issued by BES to ODOT construction contractor for discharges to BES sewer manholes so that the discharge will be treated in the Portland sewer facility. ODOT does not retain these permits on file. ODOT requested these permits from BES, however as of December 2010, ODOT has not received the permits. ODOT will submit these documents to EPA when they are received.